

The Marketing of Junk Food to Children

**Final Report of The research Project
Presented to Canada's Office of Consumer Affairs**

by

Union des consommateurs

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To facilitate reading and streamline the content of this report, we have chosen to employ the masculine to represent both genders.

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UNION DES CONSOMMATEURS, The Strength of a Network

Union des consommateurs is a not-for-profit organization that brings together several Consumers' Associations of Canada (CAC), *l'Association des consommateurs pour la qualité dans la construction* (ACQC) as well as individual members.

The mission of *Union des consommateurs* is to represent and defend the rights of consumers, with particular attention paid to the interests of low-income households. *Union des consommateurs* makes itself heard when it is necessary to defend the values of its members: solidarity, fairness and social justice, as well as the improvement of consumers' living conditions at an economic, social, political and environmental level.

The structure of *Union des consommateurs* allows it to maintain a broad view of the stakes in consumer issues while developing a keen expertise in certain areas, notably its research into new problems faced by consumers; its actions, of a national scope, are supported and legitimized by fieldwork and establishment of member associations in their communities.

Union des consommateurs acts predominantly on the national scene by representing consumer interests in dealing with different political, regulatory or legal authorities and in the public sphere. Among the concerns most thoroughly researched, acted upon or represented are the family budget and indebtedness, energy, questions regarding telephony, broadcasting, cable television and the Internet, health, nutrition and biotechnologies, financial products and services, commercial practices as well as social and fiscal policies.

Finally, with respect to globalization of markets, *Union des consommateurs* works in cooperation with several consumer groups in English Canada and abroad. It is a member of *Consumers International* (CI), an organization recognized by the United Nations.

INTRODUCTION

For many years, the food-processing industry has understood the importance of marketing its products to children, who react positively to this marketing that targets them. Their eating habits are directly conditioned by advertising, and advertising influences their eating habits into adulthood¹²³. At a very early age they develop a taste for food that is presented to them through advertising: food that is often poor in nutritional value, too salty or too sweet and full of calories. In a world where young people have allowances that keep getting bigger, it is not surprising that they buy an increasing amount of this kind of food. It is also well substantiated that young people have a great deal of influence over their families' food choices⁴, given that parents often prefer to give in to the non-stop demands of their children rather than push for healthy food.

In the United States, marketing efforts marshalled by the food-processing industry rank third among all product categories, behind the auto industry and major department stores. Food advertising costs food reached 26 billion dollars in 2000, an increase of 50% in ten years⁵. Worldwide, the food-processing industry's advertising budget was estimated at \$40 billion in 2001⁶.

Despite certain legislative restrictions on advertising intended for children. The food industry has developed methods to specifically target this clientele. Cereal boxes often present movie celebrities to a young audience; new food toys that can be twisted with the fingers, such as cheeses that can be unravelled, are growing in number, as well as products that are easy to serve or prepare, which a child can eat without waiting for the parents to come home. Major restaurant chains, which claim an increasing share of the household food budget, are no slouches when it comes time to attract a young clientele: television advertising, amusement parks, toys, gifts, customized presentations – companies make the most of their opportunities.

In May 2004, the World Health Organization (WHO) adopted a *Global Strategy on Diet, Physical Activity and Health*⁷ that challenged Member States to lead the battle against chronic illnesses linked to poor eating habits and a sedentary lifestyle. Following an unprecedented investigation into the state of world health, WHO and the Food and Agriculture Organization of the United Nations (FAO) sounded the alarm.

¹ Consumers International (CI). *The junk food generation: A multi-country survey of the influence of television advertisements on children*. Kuala Lumpur. May 2004. p. 12.

² Dalmeny, K. *Food marketing: The role of advertising in child health*. Consumer Policy Review. Vol. 13, No. 1, (January-February 2003) p. 2.

³ European Heart Network (EHN). *The marketing of unhealthy food to children in Europe*. Belgium, 2005.

⁴ Center for Science in the Public Interest (CSPI). *Pestering parents: How food companies market obesity to children*. Washington. November 2003.

⁵ Center for Science in the Public Interest (CSPI). *Pestering parents: How food companies market obesity to children*. Washington. November 2003.

⁶ International Association of Consumer Food Organizations (IACFO). *Broadcasting Bad Health: Why food marketing to children needs to be controlled*. Washington. July 2003.

⁷ World Health Organization (WHO). *Global strategy on diet, physical activity and health*. Geneva. May 2004. Online. <http://www.who.int/qb/ebwha/pdf_files/WHA57/A57_R17-en.pdf>. Consulted October 25, 2005.

Faced with an explosion of certain chronic illnesses and obesity, governments must introduce policies that fight bad eating habits, in this case excesses of sugar, salt and bad fat.

In this struggle, children must be the priority. According to the *Institut de la statistique du Québec*, about 80% of Quebecers between the ages of 6 and 16 do not eat minimum suggested quantities of the four food groups in Canada's Food Guide, and one in four Quebecers is overweight⁸. The situation has worsened at a worrisome rate over the last few years, according to experts.

Health Canada reports that the percentage of overweight boys has gone from 15% in 1981 to 35.4% in 1996, and that of overweight girls from 15% to 29.2%. Over the same period, the prevalence of obesity has tripled, going from 5% to 16.6% for boys and 5% to 14.6% for girls. The Inquiry into the Health of Canadian Communities (IHCC) revealed that in 2004, the obesity rate for children aged 2-11 had reached 7.4% and 5.5 million adult Canadians – in other words, 23.1% of the Canadian population was obese⁹. Health Canada is concerned that obese children tend to become obese adults, running a greater risk of diabetes, heart trouble, orthopaedic problems and other chronic illnesses. Paediatricians are seeing an increase in infantile hyperlipidemia, high blood pressure and diabetes among their young patients.

The battle against junk food has thus become a high-profile issue in government and public health circles. The federal government has adopted a motion that aims to reduce trans fats of industrial origin in food products, while the Quebec government has launched, with much fanfare, an advertising campaign intended to encourage physical activity and healthy eating habits; that campaign will also help Canada meet the WHO targets for a healthy diet.

This research project proposes a review of the marketing practices aimed at children in Canada, the United States and Europe, and the regulatory and self-regulatory aspects of these practices. It also identifies WHO's main findings and recommendations regarding the fight against junk food and the promotion of a healthy diet for children, as well as certain initiatives taken in industrialized countries, particularly in the United Kingdom, to meet WHO targets.

Our study is meant to be an examination of the marketing of junk food to children, by acquiring a general view of the documents and studies pertaining to it. An inventory of the legislative, regulatory and self-regulatory aspects was also taken as being the most effective means of doing so.

We proceeded by means of a review of the literature that, although detailed, was neither exhaustive nor systematic, but attempts instead to sketch the "big picture" of the situation.

We put particular emphasis on the documents and references available online, doing research with various search engines such as *PubMed*, as well as in the archives of the Paramedical Library of the University of Montreal and the *Bibliothèque nationale du Québec*.

⁸ Québec. Institut de la statistique du Québec (ISQ). *L'alimentation des jeunes Québécois de 6 à 16 ans serait incomplète par rapport aux recommandations*. Online. <<http://www.stat.gouv.qc.ca/salle-presse/communiqu/2004/novembre/nov0430a.htm>>. Consulted October 25, 2005.

⁹ Statistics Canada. *Adult obesity in Canada: Measured height and weight*. Online. <<http://www.statcan.ca/english/research/82-620-MIE/2005001/articles/adults/aobesity.htm>>. Consulted February 23, 2006.

We completed this project with a comparative study of certain food products using nutritional value and marketing as yardsticks. Our study's findings led us to develop certain recommendations of a legislative or regulatory nature based on WHO's recommendations. We also suggest regulatory action and raising the awareness of young consumers to protect them against fast food and to help Canada meet the WHO targets for a healthy diet.

1. NUTRITION AND HEALTH

1.1. The Globalization of Fast Food

With globalization upon us, food production is dominated by market forces and subject to the privatization and marketing plans of multinational food-processing companies. Those plans, which cross socio-economic and political lines, have considerably changed the traditional and cultural food consumption patterns of many peoples and generated a nutritional transition, i.e., “a series of changes in diet, physical activity, health and nutrition”¹⁰. The global transformation of eating habits since 1960 means that countries such as India, Mexico, Niger and Tunisia are now wrestling with a double burden: as they pursue their efforts to eradicate hunger, those countries now face new problems caused by an increase in obesity rates, particularly among preschoolers¹¹.

In a report on malnutrition published in 2000, an independent research organization founded in 1974, the *Worldwatch Institute*, reported that for the first time in history, the number of overweight or obese adults on the planet, which now exceeds one billion, equalled the number of underweight adults. The Institute’s report also illustrates how widespread the problem of infant obesity is by underlining that about 17.6 million children aged five or less around the world are overweight¹².

Now that food and beverage markets in North America and Europe are practically saturated, developing countries have become the targets of choice for manufacturers of processed foods and for foreign investors who subsidize these products. The promotional campaigns that underlie the attempts to take over these new markets change by their very presence the food environments in these countries¹³. For every American dollar invested by WHO to promote healthy food habits, the food-processing sector spends 500 to promote its processed goods¹⁴. The investments are not limited to promotional activities – according to an analysis by the Organization for Economic Co-Operation and Development (OECD), 60% of direct foreign investment in the food-processing sector in Eastern Europe goes to the production of sugar, sweets and carbonated beverages, against 6% for fruit and vegetables¹⁵.

¹⁰ Food and Agriculture Organization of the UN (FAO). *The nutrition transition and obesity*. Online. <<http://www.fao.org/FOCUS/E/obesity/obes2.htm>>. Consulted April 12, 2006.

¹¹ De Onis, M. et al. *Prevalence and trends of overweight among preschool children in developing countries*. American Journal of Clinical Nutrition. Vol. 72, No. 4, (October 2000) pp.1032-1039.

¹² Worldwatch Institute. *Worldwatch Paper #150: Underfed and Overfed: The Global Epidemic of Malnutrition*. Online. <<http://www.worldwatch.org/pubs/paper/150/>>. Consulted October 26, 2005.

¹³ Consumers International (CI). *The junk food generation: A multi-country survey of the influence of television advertisements on children*. Kuala Lumpur. May 2004.

¹⁴ International Association of Consumer Food Organizations (IACFO). *Broadcasting Bad Health: Why food marketing to children needs to be controlled*. Washington. July 2003.

¹⁵ International Association of Consumer Food Organizations (IACFO). *Broadcasting Bad Health: Why food marketing to children needs to be controlled*. Washington. July 2003.

1.2. What is Junk Food?

Food that is rich in fat, sugar or salt and poor in nutritional value, generally considered unhealthy, is often categorized as junk food. The World Health Organization (WHO) does not hesitate to speak of junk food even though it does not offer a precise definition for this term. Others, like José Bové, one of the popular figures in the ethical globalization movement, define junk food as completely standardized food, provided by an industrial food-processing subsidiary, with an agricultural policy based on maximizing production¹⁶. The definition of this concept, invented in 1979 by the French scientist Joël de Rosnay¹⁷, has yet to achieve a consensus, and the absence of a precise definition often causes problems for nutritionists, health professionals and legislators when it comes time to decide on a strategy or to make recommendations designed to eliminate this kind of food.

The British Columbian ministries of Education and Health preferred to devise a classification system for food broken down into four categories (see Section 4.1), the first comprising food not recommended, including “sweets and beverages for which sugar is the top ingredient or the second ingredient next to water” and “food that is subject to radical transformation or that contains high levels of sweeteners, salt, fat, trans fats or calories compared to their nutritional value”¹⁸. This food classification system allows, on the one hand, for a food item like chips to end up in one of the categories, according to its nutritional value, fat, sodium and Trans fat content, and on the other hand, to make recommendations to maximize food choices from the desirable categories and to minimize, or better yet eliminate, products from the food category not recommended.

1.3. Health Repercussions

The health repercussions of poor eating habits are manifold, harsh and sometimes fatal. Junk food leads to a vast array of chronic illnesses, such as cardiovascular diseases and Type 2 diabetes, and is associated with obesity, itself responsible for gall bladder diseases, orthopaedic problems¹⁹ and certain types of cancer²⁰. Those complications also have an economic impact, as demonstrated by the \$6.3 billion in costs generated by bad eating habits in Canada in 1993²¹.

¹⁶ Pluriagri. *Chapitre II : la malbouffe : définition et questions*. Online. <www.cerealiers-france.com/doc/que_mangerons_nous.doc>. Consulted May 30, 2006.

¹⁷ Bérubé, Stéphanie, *Qu'est-ce que la malbouffe?* Cyberpresse, March 30, 2006, Montreal. Online. <<http://www.cyberpresse.ca/article/20060330/CPACTUEL03/60330041/5104/CPACTUEL03>>. Consulted May 9, 2006.

¹⁸ Government of British Columbia. Ministry of Education. *Guidelines for Food and Beverage Sales in BC Schools*. (November 2005). Online. <<http://www.bcliberals.com/EN/309/8152?PHPSESSID=57c3cca18ddb53c02cf9fa63baa64c3>>. Consulted May 30, 2006.

¹⁹ Ontario Medical Association (OMA). *An ounce of prevention or a ton of trouble: Is there an epidemic of obesity in children?* Toronto. October 2005.

²⁰ Law, M. *Dietary fat and adult diseases and the implications for childhood nutrition: an epidemiologic approach*. American Journal of Clinical Nutrition. Vol. 72, No. 5 suppl., (November 2000) pp. 1291S-1296S.

²¹ Health Canada. *Food and Nutrition Surveillance in Canada: An Environmental Scan*. Online. <http://www.hc-sc.gc.ca/fn-an/surveill/environmental_scan_f.html#ref3>. Consulted February 13, 2006.

These problems, once related to the Western way of life, today affect everyone. In a recent report by the World Health Organization (WHO), developing countries were found not to be immune to these problems, and China and India now account for a larger number of people suffering from cardiovascular diseases than all the developed countries combined. The International Diabetes Foundation estimates that the incidence of diabetes in these two countries will skyrocket at the rate of 50% by 2025²². At this rate, developing countries should contain, by 2020, 60% of people suffering chronic illnesses worldwide.

Children, of course, do not escape the consequences of eating junk food. In Canada, for example, the prevalence of obesity among adolescents aged 12-17 has tripled over the last 25 years, climbing to 9.4% in 2004²³. The same phenomenon has occurred in the United States where, over the last two decades, the prevalence of obesity has quadrupled among children and more than doubled among adolescents, reaching 16% for the two age groups²⁴. When it is observed that young people struggling with a weight problem tend to become obese over time, this is far from encouraging. Indeed, 40% of obese children aged seven and 70% of obese adolescents will go on to become obese adults²⁵.

Early indicators of heart ailments such as high blood cholesterol or high blood pressure have been found among one quarter of American children aged five to ten years, while this rate has increased by 58% among overweight children²⁶. Not only are overweight and obese children at risk for glucose intolerance, type two diabetes²⁷, cardiovascular diseases²⁸, asthma²⁹, orthopaedic problems³⁰, certain types of cancer³¹ and other harmful effects such as psychosocial problems³², but they are also threatened with the prospect of a shorter life^{33,34}. Bearing this in mind, the doctors of the Ontario Medical Association, in Canada, find a link

²² Consumers International (CI). *The junk food generation: A multi-country survey of the influence of television advertisements on children*. Kuala Lumpur. May 2004.

²³ Statistics Canada. *Adult obesity in Canada: Measured height and weight*. Online. <<http://www.statcan.ca/english/research/82-620-MIE/2005001/articles/adults/aobesity.htm>>. Consulted February 23, 2006.

²⁴ American Obesity Association (AOA). *AOA Fact sheets*. Online. <http://www.obesity.org/subs/fastfacts/obesity_youth.shtml>. Consulted February 23, 2006.

²⁵ Canadian Paediatric Society (CPS). *Healthy active living for children and youth*. Paediatric child health. Vol. 7 No. 5, (May-June 2002) pp. 339-345. Online. <<http://www.cps.ca/english/statements/HAL/HAL02-01.pdf>>. Consulted November 14, 2005.

²⁶ Freedman, D. et al. *The relation of overweight to cardiovascular risk factors among children and adolescents: The Bogalusa heart study*. Pediatrics. Vol. 103, (June 1999) pp. 1175-1182.

²⁷ Pinhas-Hamiel, O. et al. *Increased incidence of non-insulin-dependent diabetes mellitus among adolescents*. Journal of pediatrics. Vol. 128, (May 1996) pp. 608-615.

²⁸ Must, A. et al. *Risks and consequences of childhood and adolescent obesity*. International Journal of Obesity and Related Metabolic Disorders. Vol. 23, No. 2 suppl., (March 1999) pp. S2-S11.

²⁹ National Institute of Health (NIH). *Childhood obesity on the rise*. Online. <<http://www.nih.gov/news/WordonHealth/jun2002/childhoodobesity.htm>>. Consulted April 12, 2006.

³⁰ National Institute of Health (NIH). *Childhood obesity on the rise*. Online. <<http://www.nih.gov/news/WordonHealth/jun2002/childhoodobesity.htm>>. Consulted April 12, 2006.

³¹ Law, M. *Dietary fat and adult diseases and the implications for childhood nutrition: an epidemiologic approach*. American Journal of Clinical Nutrition. Vol. 72, No. 5 suppl., (November 2000) pp. 1291S-1296S.

³² A British study reports that overweight youth are more prone to have problems of self-esteem, particularly regarding their physical appearance, thus making them more vulnerable to food advertisements projecting an image of personal well-being. See: Lewis, MK. et al. *Food advertising on British children's television: a content analysis and experimental study with nine-year olds*. International Journal of Obesity and Related Metabolic Disorders. Vol. 22, No. 3, (March 1998) pp. 206-214.

³³ Fontaine, KR. et al. *Years of life lost due to obesity*. Journal of the American Medical Association. Vol. 289, No. 2, (January 2003) pp. 187-193.

³⁴ Engeland, A. et al. *Body mass index in adolescence in relation to total mortality: 32-year follow-up of 227,000 Norwegian boys and girls*. American Journal of Epidemiology. Vol. 157, No. 6, (March 2003) pp. 517-523.

between junk food consumption in the child's circle of family and friends and the development of eating behaviour leading to possible obesity, raising concerns that the present generation of children will not live as long as their parents³⁵. Even though obesity may be genetic or biological in origin, behavioural and sociocultural factors should not be overlooked; quite often, these factors play a role in the marketing of junk food. The advertising of food rich in fat, salt or sugar has been identified as one of the causes of obesity during childhood and adolescence³⁶.

1.4. Eating Habits of Young People

A Canadian survey conducted in 1998 described the eating habits of sixth-grade students and reported that only 73% of them ate fruit every day, and only 45% said they ate at least one portion of vegetables every day³⁷. According to the same study, 15% of adolescents reported eating chips or French fries every day and 24% admitted eating candy or chocolate bars every day. In Quebec, the majority of young people do not consume the five daily portions of fruit and vegetables recommended by Canada's Food Guide³⁸. More than one third of children aged 6-11 consume sweets, chips or carbonated beverages every day³⁹.

Young Canadians are, of course, not the only ones to fall short of the dietary recommendations. The picture is as bleak in the United States: consumption of vegetables by American children and adolescents fell by 42% and 32% respectively between 1997 and 2002, with the result that only 22% of young Americans consumed each day the five recommended portions of fruit and vegetables⁴⁰.

³⁵ Ontario Medical Association (OMA). *An ounce of prevention or a ton of trouble: Is there an epidemic of obesity in children?* Toronto. October 2005.

³⁶ Sustain. *Children's food and health: Why legislation is urgently required to protect children from unhealthy food advertising and promotions*. London, Britain. March 2004. Online. <http://www.sustainweb.org/pdf/child_food_health.pdf>. Consulted December 1, 2005.

³⁷ Canadian Paediatric Society (CPS). *Healthy active living for children and youth*. Paediatric child health. Vol. 7 No. 5, (May-June 2002) pp. 339-345. Online. <<http://www.cps.ca/english/statements/HAL/HAL02-01.pdf>>. Consulted November 14, 2005.

³⁸ Québec. Institut de la statistique du Québec (ISQ). *Enquête sociale et de santé auprès des enfants et des adolescents québécois 1999, volet nutrition*. June 2004, p. 90. Online. <http://www.stat.gouv.qc.ca/publications/sante/pdf2004/eng_nutrition04c5.pdf>. Consulted November 18, 2005.

³⁹ Québec. Institut de la statistique du Québec (ISQ). *Enquête sociale et de santé auprès des enfants et des adolescents québécois 1999, volet nutrition*. June 2004, p. 90. Online. <http://www.stat.gouv.qc.ca/publications/sante/pdf2004/eng_nutrition04c5.pdf>. Consulted November 18, 2005.

⁴⁰ Centers for Disease Control (CDC). *Physical activity and good nutrition: essential elements to prevent chronic diseases and obesity*. 2005. Online. <http://www.cdc.gov/nccdphp/aag/pdf/aag_dnpa2005.pdf>. Consulted November 15, 2005.

A national survey on diet and nutrition conducted in the United Kingdom in 2000 revealed that young Britons eat less than half the recommended portions of fruit and vegetables, while 80% of them exceed the recommended amount of sugar and 90% surpass the suggested limit for saturated fats⁴¹.

Young people consume more sweet and salted products as well as products high in fat content, in other words, more calories of poor nutritional quality. It has been reported that over 50% of the total number of calories that children consume come from added sugar and fatty substances (20% and 32% respectively)^{42,43}. For example, the consumption of carbonated beverages, which has been associated with weight gain among young people⁴⁴, and the consumption of more calories in general⁴⁵, posted an incredible rise of 58.5% from 1997 to 2002 among American adolescents, making this type of beverage account for 50% of all beverages consumed by young people⁴⁶.

A prospective study, carried out over two years (1995-1997) on young people of an average age of 12 and published in the scientific journal *The Lancet*, revealed that the risks of their becoming obese increased by 60% with each additional daily consumption of a sweet carbonated beverage, while taking into account various factors such as anthropometrical, demographic and food data as well as other habits⁴⁷. Conversely, a study showed that by reducing the consumption of carbonated beverages, the incidence of obesity among children was also reduced⁴⁸.

According to another American study, young people consume more snacks between meals, which has had the effect of increasing the number of calories consumed by 30% (from 460 to 610 calories) between 1976 and 1997⁴⁹.

More often than in the past, children use restaurant services as a food source. A third of calories (32%) come from outside the home and the ratio of meals coming from fast-food restaurant chains has gone from one in ten in 1977 to one in three in 1996⁵⁰. In the United States, money spent on restaurant meals has gone from 25% of the total budget devoted to food in 1970 to

⁴¹ Food Standards Agency (FSA). *National diet and nutrition survey of young people aged four to 18 years*. London. 2000.

⁴² Story, M. et al. *Food Advertising and Marketing Directed at Children and Adolescents in the US* (review).

International Journal of Behavioral Nutrition and Physical Activity. Vol. 1, No. 1, (February 2004) pp. 3.

⁴³ United States Department of Agriculture (USDA). *Foods Sold in Competition with USDA School Meal Programs*. January 2001. Online. <<http://www.commercialalert.org/competitivefoods.pdf>>. Consulted November 16, 2005.

⁴⁴ Berkey, CS. et al. *Sugar-added beverages and adolescent weight change*. Obesity Research. Vol. 12, No. 5, (May 2004) pp. 778-788.

⁴⁵ Mrdjenovic, G. et al. *Nutritional and energetic consequences of sweetened drink consumption in 6- to 13-year-old children*. Journal of Pediatrics. Vol. 142, No. 6, (June 2003) pp. 604-610.

⁴⁶ Consumers Union (CU). *Out of balance: Marketing of soda, candy, snacks and fast food drowns out healthful messages*. September 2005. Online. <<http://www.consumersunion.org/pdf/OutOfBalance.pdf>>. Consulted November 15, 2005.

⁴⁷ Ludwig, DS. et al. *Relation between consumption of sugar-sweetened drinks and childhood obesity: A prospective, observational analysis*. The Lancet. Vol. 357, No. 9255, (February 2001) pp.505-508.

⁴⁸ James, J. et al. *Preventing childhood obesity by reducing consumption of carbonated drinks: cluster randomised controlled trial*. British Medical Journal. Vol. 328, (May 2004) p. 1237.

⁴⁹ Jahns, L. et al. *The increasing prevalence of snacking among US children from 1977 to 1996*. Journal of Pediatrics. Vol. 138, No. 4, (April 2001) pp.493-498.

⁵⁰ Lin, BH. et al. *American children's diets not making the grade*. Food Review. Vol. 24, No. 2, (May-August 2001) pp. 8-17.

47.5% in 1999, and it could reach 53% in 2010⁵¹. The composition of the restaurant menus, generally richer in fatty substances, sugar and salt, also has an effect on the number of calories ingested by young people: meals eaten in those establishments lead to a consumption of almost double the calories (770 calories) compared to food prepared in the home (420 calories)⁵². The same phenomenon is taking place in Quebec: family expenses for restaurant food have increased by 33% in ten years (1986-1996), with fast-food chains, very popular among adolescents, taking the biggest slice of the pie⁵³.

The eating habits of children and adolescents also differ at home depending on whether they have a family meal at the table or in front of the television. Eating meals as a family unit promotes healthier eating habits⁵⁴, whereas meals eaten in front of the television are usually energy-rich and nutritionally poor⁵⁵. In Quebec, almost 40% of children and 50% of adolescents eat in front of the television⁵⁶.

While many factors can explain the food choices of children and adolescents – Notably food variety and availability, parents' and young people's nutritional knowledge, product costs, cultural and social influences, individual needs and tastes, and the family context – other factors need to be considered, such as product marketing techniques and food promotion, to which are devoted astronomical amounts and which more easily reach young people around the world.

⁵¹ Québec. Institut de la statistique du Québec (ISQ). *Enquête sociale et de santé auprès des enfants et des adolescents québécois 1999, volet nutrition*. June 2004, p. 109. Online.

⁵² http://www.stat.gouv.qc.ca/publications/sante/pdf2004/eng_nutrition04c6.pdf. Consulted November 18, 2005.

⁵³ Zoumas-Morse, C. et al. *Children's patterns of macronutrient intake and associations with restaurant and home eating*. Journal of the American Dietetic Association. Vol. 101, No. 8, (August 2001) pp. 923-925.

⁵⁴ Québec. Institut de la statistique du Québec (ISQ). *Enquête sociale et de santé auprès des enfants et des adolescents québécois 1999, volet nutrition*. June 2004, p. 109. Online.

⁵⁵ Videon, TM. et al. *Influences on adolescent eating patterns: the importance of family meals*. Journal of Adolescent Health. Vol. 32, No. 5, (May 2003) pp.365-373.

⁵⁶ Coon, KA. et al. *Relationships Between Use of Television During Meals and Children's Food Consumption Patterns*. Pediatrics. Vol. 107, No. 1, (January 2001) p. e7.

⁵⁷ Québec. Institut de la statistique du Québec (ISQ). *Enquête sociale et de santé auprès des enfants et des adolescents québécois 1999, volet nutrition*. June 2004, p. 109. Online.
http://www.stat.gouv.qc.ca/publications/sante/pdf2004/eng_nutrition04c6.pdf. Consulted November 18, 2005.

2. MARKETING AND FOOD

2.1. Young People and the Media

Although responsibility for a healthy diet for young people rests essentially on the shoulders of parents, the promotional techniques used by the food processing industry are seen as a growing influence among the factors that determine the eating habits of children and adolescents⁵⁷. In 2002, *Datamonitor*, an American firm specializing in industrial analysis and strategic planning, identified food advertising intended for children as one of the five leading causes of child obesity⁵⁸.

The same opinion is echoed by WHO, which considers junk food and other calorie-rich food advertising as a “probable” cause of obesity⁵⁹. It is therefore important to determine the degree to which children and adolescents are influenced by the media.

The Predominance of Television

Television is without question the medium preferred by the young. Although the average American child has in his home three radios, a computer (45% are connected to the Internet), two CD players and two video recorders, 99% of all households have a television, three on average⁶⁰.

The American child (2-18 years old) spends, on average, five and a half hours per day using different media at home (television, radio, movies, video games, computers, magazines, books, newspapers). More than half the time spent with those media is spent in front of a television (two hours 46 minutes)⁶¹. According to the same study, a television can be found in the bedroom of 32% of children 2-7 years old and in 65% of those 8-18 years old. Even babies watch television: In the United States, 17% of babies less than one year old and 48% of babies one to two years old are exposed to television at least one hour a day⁶².

⁵⁷ Story, M. et al. *Individual and environmental influences on adolescent eating behaviors*. Journal of the American Dietetic Association. Vol. 103, No. 3 suppl., (March 2002) pp. S40-S51.

⁵⁸ International Association of Consumer Food Organizations (IACFO). *Broadcasting Bad Health: Why food marketing to children needs to be controlled*. Washington. July 2003.

⁵⁹ World Health Organization (WHO). *Diet, Nutrition and the Prevention of Chronic Diseases*. Technical Reports Series 916. Report on a consultation of WHO/FAO experts. Geneva. 2003. Online. <http://whqlibdoc.who.int/trs/WHO_TRS_916.pdf>. Consulted 21 November 2005

⁶⁰ Rideout, V.J. et al. *Kids & Media @ the New Millenium: A comprehensive national analysis of children's media use*. Un rapport de la Kaiser Family Foundation (KFF). November 1999. Fact sheet. Online. <<http://www.kff.org/entmedia/loader.cfm?url=/commonspot/security/getfile.cfm&PageID=13266>>. Consulted 23 November 2005.

⁶¹ Rideout, V.J. et al. *Kids & Media @ the New Millenium: A comprehensive national analysis of children's media use*. A report of the Kaiser Family Foundation (KFF). November 1999. Fact sheet. Online. <<http://www.kff.org/entmedia/loader.cfm?url=/commonspot/security/getfile.cfm&PageID=13266>>. Consulted November 23, 2005.

⁶² Certain, LK. et al. *Prevalence, correlates, and trajectory of television viewing among infants and toddlers*. Pediatrics. Vol. 109, No. 4, (April 2002) pp.634-642.

In fact, children of preschool age (six years and younger) spend as much time in front of the television as they do playing outside⁶³. In Canada, in the fall of 2003, the national weekly average for the number of hours spent in front of the television set was 14 hours for children 2-11 and 14.8 for those 12-17⁶⁴.

Television and Obesity

The impact of television on the state of mind, health and eating habits of children and adolescents has long been a preoccupation shared by parents and health professionals alike. A longitudinal study carried out over a six-year period showed that the rate of obesity rose gradually with the number of hours spent in front of the television set, pointing toward a cause-and-effect relationship rather than a simple association⁶⁵. The first study to have shown evidence linking obesity with watching television was published in 1985. It caused an uproar. Over 13,000 young people participated in this inquiry, and the results showed a rise of 2% in the prevalence of obesity in 12-17 year-olds for each hour spent in front of the small screen, after factoring in the family history of obesity, the ethnic origin and the socio-economic status⁶⁶. The authors of this study also reported that 29% of obesity cases could be prevented if the hours spent watching television were reduced to one hour or less per week⁶⁷. Based on the results of this study, it can be said that television is responsible for almost one third of obesity cases among young people.

Children who spend more time in front of the small screen consume more calories, as illustrated by a study that shows an average additional daily consumption of 175 calories among girls who watch television more than five hours a day compared to those who limit themselves to one hour of television a day⁶⁸. Several other studies establish a link between obesity and television^{69,70,71}.

⁶³ Rideout, VJ. et al. *Zero to Six: Electronic media in the lives of infants, toddlers and preschoolers*. Kaiser Family Foundation (KFF). Fall 2003. Online. <<http://www.kff.org/entmedia/upload/Zero-to-Six-Electronic-Media-in-the-Lives-of-Infants-Toddlers-and-Preschoolers-PDF.pdf>>. Consulted 23 November 2005.

⁶⁴ Statistics Canada. *Television viewing, by age and sex, by province*. Online. <<http://www40.statcan.ca/l01/cst01/ats23.htm>>. Consulted November 21, 2005.

⁶⁵ Crespo, CJ. et al. *Television watching, energy intake, and obesity in US children: results from the third National Health and Nutrition Examination Survey, 1988-1994*. Archives of Pediatric and Adolescent Medicine. Vol. 155, No. 3, (March 2001) pp. 360-365.

⁶⁶ Dietz, WH. et al. *Do we fatten our children at the television set? Obesity and television viewing in children and adolescents*. Pediatrics. Vol. 75, No. 5, (May 1985) pp.807-812.

⁶⁷ Dietz, WH. et al. *TV or not TV: fat is the question*. Pediatrics. Vol. 91, No. 2, (February 1993) pp. 499-501.

⁶⁸ Crespo, CJ. et al. *Television watching, energy intake, and obesity in US children: results from the third National Health and Nutrition Examination Survey, 1988-1994*. Archives of Pediatric and Adolescent Medicine. Vol. 155, No. 3, (March 2001) pp. 360-365.

⁶⁹ Gortmaker, SL. et al. *Television viewing as a cause of increasing obesity among children in the United States, 1986-1990*. Archives of Pediatrics & Adolescent Medicine. Vol. 150, No. 4, (April 1996) pp. 356-362.

⁷⁰ Lowry, R. et al. *Television viewing and its associations with overweight, sedentary lifestyle, and insufficient consumption of fruits and vegetables among US high school students: differences by race, ethnicity, and gender*. Journal of School Health. Vol. 72, No. 10, (December 2002) pp. 413-421.

⁷¹ Proctor, MH. et al. *Television viewing and change in body fat from preschool to early adolescence: The Framingham Children's Study*. International Journal of obesity and Related Disorders. Vol. 27, No. 7, (July 2003) pp.827-833.

2.2. The Influence of Marketing on Food Choices

Before determining the harmful effects of advertising on young people's food choices, we must point out the contents and types of advertised food. In Quebec, for example, a team of researchers looked into the contents of 9,858 television commercials broadcast during peak periods when primary school children were most apt to be watching television, from 3 p.m. to 10 p.m. Monday to Friday, from 6 a.m. to midnight on Saturdays and from 6 a.m. to 10 p.m. on Sundays. The inventory of these commercials, broadcast during the last week of March 2002, required 483 hours of simultaneous taping of seven television channels⁷². The researchers' observations: 23% (2,267) of all the commercials advertised food products. Of a total of 135 food products that were the subject of this advertising, 73% (99 products out of 135) were not in Canada's Food Guide. Among the items found were all kinds of snacks, sweets, prepared food and various beverages^{73,74}.

Researchers carried out a similar exercise in English Canada by focusing on the advertisements broadcast Saturday mornings from 7-11 a.m. on five television channels⁷⁵. Over the 160 hours recorded, 147 advertisements were inventoried, half of which (74 of 147) promoted food. Of the advertisements designed to promote food, about fifty represented food low in nutritional quality, fast-food restaurants or sweet cereals⁷⁶.

The situation is similar for our neighbours to the south: more than half the advertisements seen by an American child each year come from the food-processing sector⁷⁷. The American child sees a food advertisement during each five-minute segment of viewing time and, considering that he spends on average two hours and 46 minutes watching television per day⁷⁸, he exposes himself to up to three hours of food advertisements per week⁷⁹.

⁷² The researchers registered the most probable viewing times for primary school children. The television stations were the following: Radio-Canada, TVA, Télévision Quatre Saisons (TQS), Télé-Québec, Téléttoon, Musique Plus et Musimax

⁷³ Université Laval. *Au fil des événements. Malbouffe extrême à la télé: Les publicités qui touchent l'alimentation des enfants ont de quoi donner des boutons!* September 2003. Online.

⁷⁴ http://www.scom.ulaval.ca/Au_fil_des_evenements/2003/09.04/nutrition.html. Consulted November 23, 2005.

⁷⁵ Lebel, E. et al. *Publicité télévisée sur les aliments visant les enfants québécois*. Communications. Vol. 24, No. 1, (December 2005) p. 6585.

⁷⁶ The channels were the following: English Radio Canada, French Radio Canada, CTV, CFPL and Much Music.

⁷⁷ Ostbye, T. et al. *Food and nutrition in Canadian "Prime Time" television commercials*. Canadian Public Health Association. Vol. 84, No. 6, (March 1993) pp. 370-374.

⁷⁸ Story, M. et al. *Food Advertising and Marketing Directed at Children and Adolescents in the US (review)*. International Journal of Behavioral Nutrition and Physical Activity. Vol. 1, No. 1, (February 2004) pp. 3.

⁷⁹ Rideout, VJ. et al. *Kids & Media @ the New Millenium: A comprehensive national analysis of children's media use*. Un rapport de la Kaiser Family Foundation (KFF). November 1999. Fact sheet. Online.

⁸⁰ <http://www.kff.org/entmedia/loader.cfm?url=/commonspot/security/getfile.cfm&PageID=13266>. Consulted 23 November 2005.

⁸¹ Kotz, K. et al. *Food advertisements during children's Saturday morning television programming: are they consistent with dietary recommendations?* Journal of the American Dietetic Association. Vol. 94, No. 11, (November 1994) pp. 1296-1300.

Another report, published by the Department of Agriculture in the United States (USDA), points out that of the approximately 10,000 food advertisements that young Americans are exposed to each year, 95% promote food of poor nutritional quality, rich in sugar and fat⁸⁰. The food industry allocated a paltry 2% of its advertising budget to promoting fruit, vegetables and whole grains⁸¹. In the United Kingdom, the ratio of food advertising increases two- or three-fold during children's shows when compared to the broadcast time for adult shows. In that country, following the example of Canada and the United States, the vast majority of these advertisements promote products rich in fat, sugar and salt⁸².

It goes without saying that the influence of marketing on poor eating habits would not be felt if these advertisements did not lead to consistent choices by children or create needs and desires leading to purchase of the product in question. Some studies suggest that the impact of these advertisements is considerable among young people. Time spent watching television substantially influences children as early as three years old, encouraging them to ask their parents for those marketed products⁸³.

In 75% of cases, the first request by a child for a product, sometimes as early as age two, takes place in a supermarket, and the most prized items are breakfast cereals (47%) and beverages and snacks (30%)⁸⁴. Up to three out of four products requested by children of their parents were advertised on television⁸⁵.

Some researchers think that food advertising on television can alter the perception that young people have of a healthy diet. For example, a study reports that 70% of children aged 6-8 thought that food from fast-food restaurant chains was more nutritious than that prepared at home⁸⁶, while another study, which asked fourth- and fifth-grade children to choose the healthiest of two products – for example, between *Corn Flakes* and *Frosted Flakes* – indicated that those who watched more television chose the less nutritious of the two products presented⁸⁷.

⁸⁰ United States Department of Agriculture (USDA). Economic Research Service. Gallo, A. *Food advertising in the United States: America's Eating Habits: Changes and Consequences*. Agriculture Information Bulletin. Ed. Elizabeth Frazao. No. 750 (May 1999). Online. <<http://www.ers.usda.gov/publications/aib750/aib750.pdf>>. Consulted November 30, 2005.

⁸¹ Center for Science in the Public Interest (CSPI). *Pestering parents: How food companies market obesity to children*. Washington. November 2003.

⁸² Sustain. *TV dinners: What's being served up by the advertisers?* London, Britain. 2001.

⁸³ Taras, HL. et al. *Television's influence on children's diet and physical activity*. Journal of Developmental and Behavioral Pediatrics. Vol. 10, No. 4, (August 1989) pp.176-180.

⁸⁴ McNeal, JU. *The kids market: Myth and realities*. Ithaca, NY: Paramount Market Publishing, 1999. 288 pp.

⁸⁵ The Kaiser Family Foundation (KFF). *The role of media in childhood obesity*. Washington. February 2004. Online. <<http://www.kff.org/entmedia/upload/The-Role-Of-Media-in-Childhood-Obesity.pdf>>. Consulted November 30, 2005.

⁸⁶ Donahue, T. et al. *Black and white children: Perceptions of television commercials*. Journal of Marketing. Vol. 42, (1978) pp. 34-40.

⁸⁷ Signorielli, N. et al. *Television and children's conceptions of nutrition*. Health Communication. Vol. 9, No. 4, (1997) pp. 291-301. Note that this study successfully reproduced results of a similar study published in 1992: Signorielli, N. et al. *Television and children's conceptions of nutrition: Unhealthy messages*. Health Communication. Vol. 4, No. 4, (1992) pp. 245-257.

Based on the many studies evaluating the effects of television advertising, it is more than reasonable to believe that these advertisements, or the lack of balance in advertising the various food groups, negatively affects the food choices of the young and not-so-young.

Conversely, advertising of healthy food products can lead to good consumer habits when it comes to food.

The University of West Virginia and the Center for Science in the Public Interest (CSPI) ran a study to verify whether a media campaign accompanied by a public relations strategy could induce dietary changes among the public. Advertisements broadcast on radio and television, supported by press conferences and other events covered by the media, encouraged people to give up 2% milk for 1% milk. Results from telephone surveys that followed the media campaign showed that 34% of the people had made the change in the campaign's target city, compared to 4% during the same period of time in a control city in which no campaign had taken place⁸⁸.

A media campaign intended for people in Arizona benefiting from food assistance increased the consumption of fruit and vegetables, doubling it among people whose annual income was less than \$15,000 and tripling it among those whose income was between \$15,000 and \$20,000⁸⁹.

Another study, published in a scientific journal, showed that a vast media campaign carried out in 1985 (television, advertising leaflets, coupons, messages on packaging) promoting fibre-rich cereals caused a lasting increase in sales of this type of cereal (a growth of 37% in 48 weeks)⁹⁰.

Furthermore, the literature demonstrates that discussing a health problem on a popular television show can encourage viewers to act on the information and make health decisions, going so far as to see their doctor⁹¹.

2.3. The Food Processing Industry's Advertising Investment

In 2001, the food processing industry's total budget worldwide to promote its products was about US\$40 billion⁹², with almost one third of this budget (US\$13 billion) intended for children⁹³. In the United States, the food-processing industry is second only to the automobile industry in terms of the size of its advertising budget⁹⁴.

⁸⁸ Center for Science in the Public Interest (CSPI). *Pestering parents: How food companies market obesity to children*. Washington. November 2003.

⁸⁹ Center for Science in the Public Interest (CSPI). *Pestering parents: How food companies market obesity to children*. Washington. November 2003.

⁹⁰ Center for Science in the Public Interest (CSPI). *Pestering parents: How food companies market obesity to children*. Washington. November 2003.

⁹¹ The Kaiser Family Foundation (KFF). *The role of media in childhood obesity*. Washington. February 2004. Online. <<http://www.kff.org/entmedia/upload/The-Role-Of-Media-in-Childhood-Obesity.pdf>>. Consulted November 30, 2005.

⁹² Consumers International (CI). *The junk food generation: A multi-country survey of the influence of television advertisements on children*. Kuala Lumpur. May 2004. p. 12.

⁹³ Nestle, M. and Wootan, M. Quoted in *Spending on marketing to kids up \$5 billion in last decade*. The Food Institute Report. 15 April 2002.

⁹⁴ United States Department of Agriculture (USDA). Economic Research Service. Gallo, A. *Food advertising in the United States: America's Eating Habits: Changes and Consequences*. Agriculture Information Bulletin. Ed. Elizabeth Frazao. No. 750 (May 1999). Online. <<http://www.ers.usda.gov/publications/aib750/aib750.pdf>>. Consulted 30 November 2005.

This investment seems justified after a glance at statistics on what Americans spend on food – 12.5% of their total budget⁹⁵. Additionally, as food is a permanent consumer sector and consumer trends can vary, it is important for the food processing industry to face up to the competition by promoting its products, 80% of total outlays being spent by well-known brands (Coca-Cola, Nestlé, McDonald's, etc.)⁹⁶.

If television is the medium of choice for children, it is also the medium of choice for advertisers and the American food-processing industry, as 75% of food advertising expenditures are directed toward television advertising, and up to 95% of the advertising budget of fast-food restaurant chains is allocated to the small screen⁹⁷. In Canada, \$720 million was spent on food advertising by the industry in 1998⁹⁸.

On the international market, the United States, Japan and the United Kingdom take the lion's share of this type of investment with, respectively, investments representing 40%, 15.3% and 7.1% of the total investment on food advertising⁹⁹.

Consumers Union, an organization of American consumers, compared advertising investments by the fast-food, beverage (non-alcoholic), food and sweets industries of California, with those by the federal government and the State of California as part of their joint campaign, "5 a day", which encourages the consumption of at least five portions of fruit and vegetables a day. The joint campaign showed that the industries spent, in 2004, 1,178 times the amount invested in healthy eating habits, or \$11.26 billion against \$9.55 million invested by the two levels of government¹⁰⁰. Given this situation, it is easy to imagine how hard it must be to hear the messages intended to promote a healthy diet.

2.4. Marketing Strategies

Advertising campaigns intended for children are no different from others: they are motivated by the industry's desire to develop a recognition for a preference for and a loyalty to brand names.

⁹⁵ Story, M. et al. *Food Advertising and Marketing Directed at Children and Adolescents in the US (review)*. International Journal of Behavioral Nutrition and Physical Activity. Vol. 1, No. 1, (February 2004) pp. 3.

⁹⁶ United States Department of Agriculture (USDA). Economic Research Service. Harris, JM. et al. *The US food marketing system*, 2002. Agriculture Economic Report. No. 811 (June 2002). Online. <<http://www.ers.usda.gov/publications/aer811/aer811.pdf>>. Consulted December 1, 2005.

⁹⁷ United States Department of Agriculture (USDA). Economic Research Service. Gallo, A. *Food advertising in the United States: America's Eating Habits: Changes and Consequences*. Agriculture Information Bulletin. Ed. Elizabeth Frazao. No. 750 (May 1999). Online. <<http://www.ers.usda.gov/publications/aib750/aib750.pdf>>. Consulted November 30, 2005.

⁹⁸ McElgunn J. *Canada's top 25 advertising categories*. Marketing Magazine. No. 44 (September 27, 1999).

⁹⁹ Lang, T. and Millstone, E (Ed.) *The Atlas of Food: Who eats what, where and why*. London: Earthscan Books, 2002. 128 pp.

¹⁰⁰ Consumers Union (CU). *Out of balance: Marketing of soda, candy, snacks and fast food drowns out healthful messages*. September 2005. Online. <<http://www.consumersunion.org/pdf/OutOfBalance.pdf>>. Consulted November 15, 2005.

It would appear that these preferences assert themselves even before young people's consumer behaviour is shaped¹⁰¹. To support this contention, an investigation reports that from age three, one out of five American children already asks for products with specific brand names¹⁰². Of the six brand names most recognized by small children, four represent the food industry¹⁰³.

When considering the specific traits of a younger clientele, marketing specialists consult child psychologists to better equip themselves in fostering the desired relationship between the small child and the brand name in question. The use of psychologists in orchestrating a marketing strategy intended for children was strongly denounced, in 1999, by 60 members of the American Psychological Association (APA), who, through a public letter, asked their association to amend its ethical code to limit the participation and involvement of psychologists in these practices. In this letter, the signatories recommended, among other things, that the APA launch an ambitious campaign to heighten awareness of the damage and potential dangers of advertising intended for children¹⁰⁴.

When it comes to targeting the young, advertisers have an impressive array of methods to promote a product, and the vast majority of advertising campaigns intended for young people have the same characteristics, whether they are designed to reach them in a school setting, at home or in a store, via the Internet or cellular telephone.

Some of the techniques and marketing strategies most widely used by the food-processing industry and the advertising firms that they hire to stimulate the senses and the emotions of children and adolescents and to reach young consumers are listed below¹⁰⁵:

- The use of bright colours and geometric shapes, references to magic, fantasy, action and adventure;
- The use of positive images (humour, happiness, independence, freedom, popularity, success, sex appeal) of children or the voices of children;
- The use of popular personalities and mascots (Spiderman, Barbie, Bart Simpson, SpongeBob, Bugs Bunny, Bonhomme Carnaval) or celebrities (sports, music, movies...);
- Collectibles, gifts¹⁰⁶ (figurines, sports cards, DVDs);
- Edible toys (cheese sticks that can be pulled apart, cereals in the form of letters of the alphabet, crackers in the form of animals);
- Contests, games, and sports competitions;
- Joining children's clubs, birthday parties, local events;
- Health or nutritional claims (no trans fats, rich in fibre, health-oriented);
- In-store promotions (food samples, free movie tickets);
- Promotions on packaging (discount coupons and special offers);
- Entertaining packaging formats (mini, highlighted, fluorescent, display units, dispensers);
- In-store visual layouts attractive to children;

¹⁰¹ McNeal, J.U. *The kids market: Myth and realities*. Ithaca, NY: Paramount Market Publishing, 1999. 288 pp.

¹⁰² McNeal, J.U. et al. *Born to shop*. American Demographics. Vol. 15, No. 6, (June 1993) pp. 34-39.

¹⁰³ McNeal, J.U. Cited by Comiteau, J. *When does brand loyalty start?*, appeared in Adweek, (March 2003).

¹⁰⁴ Commercial Alert. *Psychologists, Psychiatrists Call for Limits on the Use of Psychology to Influence or Exploit Children for Commercial Purposes*. Online. <http://www.commercialalert.org/issues-article.php?article_id=68&subcategory_id=21&category=1>. Consulted December 5, 2005.

¹⁰⁵ This list comes from several sources, notably from the *International Association of Consumer Food Organizations* (IACFO). *Broadcasting Bad Health: Why food marketing to children needs to be controlled*. Washington. July 2003.

¹⁰⁶ A study reports that 16,9 % of food advertising intended for children offers a gift of some kind. See: Kotz, K. et al. *Food advertisements during children's Saturday morning television programming: are they consistent with dietary recommendations?* Journal of the American Dietetic Association. Vol. 94, No. 11, (November 1994) pp. 1296-1300.

- Promotional texts on cellular telephones;
- Partnership with sports, recreational, tourist or corporate organizations;
- Product placement (in movies¹⁰⁷, television, radio, video clips, theatrical productions, books and comic strips), etc.

Studies have shown that a child's perception of a product is altered by, for example, the simple association of a celebrity with a product¹⁰⁸. The use of this kind of personality helps the child remember a slogan¹⁰⁹ or identify a product¹¹⁰. Babies are said to have the capacity, from the age of six months, to form mental images of corporate logos and mascots¹¹¹.

A group of academics from the *Foods Standards Agency* (FSA), an independent government agency responsible for looking after public health and protecting the interests of British consumers in nutritional matters, reviewed the literature and submitted a report to Prime Minister Tony Blair in 2004. This report shows a convincing cause-and-effect relationship between the advertising activities of the food-processing industry and the knowledge, behaviour and preferences of young people¹¹².

Aware of the negative impact that the increasing number of publications documenting some of their products' unhealthy effects, the food industry has tended to adopt a new strategy: mentioning, even before the characteristics of advertised food products, the importance of physical activity as a factor in controlling weight. For example, in May 2003, in a promotional campaign aimed at British schools, a popular chocolate manufacturer, expressing a desire to see the young do more physical exercise, offered sporting goods to administrators of primary and secondary schools, in exchange for tokens contained in the packaging of chocolate bars consumed by students. The smallest gift – a volleyball – was granted only after a student had accumulated the tokens contained in 90 chocolate wrappers, or 20,000 calories and more than 1 kg of fat. The most attractive gift – a set of rods to which a volleyball net could be attached – could be claimed in exchange for 5,440 tokens contained in chocolate wrappers, which represents almost 1.25 million calories and almost 67 kg of fat¹¹³.

¹⁰⁷ In 1982, the presence of Reese and Hershey peanut butter pieces of chocolate in the movie *E.T. the Extraterrestrial* pushed up sales of this product by 65% in one month. See Story, M. et al. *Food Advertising and Marketing Directed at Children and Adolescents in the US (review)*. International Journal of Behavioral Nutrition and Physical Activity. Vol. 1, No. 1, (February 2004).

¹⁰⁸ Children's Advertising Review Unit (CARU). *Self-regulatory guidelines for children's advertising*. Online. <<http://www.caru.org/guidelines/guidelines.pdf>>. Consulted December 6, 2005.

¹⁰⁹ Lieber, L. *Commercial and Character Slogan Recall by Children Aged 9 to 11 Years: Budweiser Frogs versus Bugs Bunny*. The Center on alcohol marketing and youth. Online. <<http://camy.org/factsheets/index.php?FactsheetID=1>>. Consulted December 6, 2005.

¹¹⁰ Fischer, PM. et al. *Brand logo recognition by children aged 3 to 6 years. Mickey Mouse and Old Joe the Camel*. Journal of the American Medical Association. Vol. 266, No. 22, (December 1991) pp. 3145-3148.

¹¹¹ McNeal, JU. et al. *Born to shop*. American Demographics. Vol. 15, No. 6, (June 1993) pp. 34-39.

¹¹² Sustain. *Children's food and health: Why legislation is urgently required to protect children from unhealthy food advertising and promotions*. London, United Kingdom. March 2004. Online. <http://www.sustainweb.org/pdf/child_food_health.pdf>. Consulted 1 December 2005.

¹¹³ Food Commission. Press release. *Cadbury wants children to eat two million kg of fat - to get fit*. Online. <http://www.foodcomm.org.uk/cadbury_03.htm>. Consulted March 2, 2006.

Marketing in the Schools

Marketing in the schools ranks, along with television advertising, at the top of the list of all current forms of marketing intended for children¹¹⁴. Although this form of marketing arouses growing criticism from groups of parents, teachers, consumers and public health representatives, it remains one of the food-processing industry's preferred options, enabling it to reach the vast majority of children precisely in their learning environment. Suffering from straitened finances, these schools are accustomed to being targeted by advertisers: Given their chronic lack of resources and the absence of a nutritional policy, the administrators of these institutions, who try by all means to make ends meet, may find the offer of a financial contribution by these food-processing companies too tempting to turn down, even going so far in some cases as to grant an exclusive agreement.

According to the American Psychological Association (APA), there is reason to believe that the intrusion of food advertising in an academic environment may have stronger effects than elsewhere. As most children and adolescents are at school every day of the week, making them a captive audience, exposure to advertising in an academic environment is repetitive and ultimately may confer a competitive advantage, particularly where competition for advertising is limited¹¹⁵. In this environment, students' exposure to advertising is all the more dangerous because they may be under the impression that the promised food is healthier than they would otherwise believe, considering that these advertisements are presented in a prestigious context of "expertise"¹¹⁶.

Here is a look at the marketing techniques used in schools and academic environments:

- *Direct advertising* (on school bulletin boards, school buses, in yearbooks, in school newspapers, on computers, on student radio; the presence of corporate logos on gym scoreboards, athletic equipment and/or school supplies, free food samples, etc.);
- *Indirect advertising* (kit of identified products serving to teach the principles of Canada's Food Guide, posters of various contests or special campaigns¹¹⁷);
- *Product sales* (contracts – often exclusive – with soft drink companies, vending machines, sales contracts for food in the cafeterias and on campus, fund-raising through the sale of food products, etc.);
- *Market research* (questionnaires for students, taste tests, Internet surveys, monitoring of student behaviour on the Internet).

¹¹⁴ Consumers Union (CU). *Out of balance: Marketing of soda, candy, snacks and fast food drowns out healthful messages*. September 2005. Online. <<http://www.consumersunion.org/pdf/OutofBalance.pdf>>. Consulted November 15, 2005.

¹¹⁵ Borzekowski, DL. et al. *The 30-second effect: an experiment revealing the impact of television commercials on food preferences of preschoolers*. Journal of the American Dietetic Association. Vol. 101, No. 1 (January 2001), pp. 42-46.

¹¹⁶ Hass, RG. *Effects of source characteristics on cognitive responses and persuasion*. In : *Cognitive responses in persuasion*. Hillsdale, NJ: Ed. Petty, RE., Ostrom, TM., Brock, TC., 1981, pp. 141-172.

¹¹⁷ For example, PepsiCo's Nutrition and Physical Activity Program, "Balance First", on the site of Physical & Health Education Canada. Online. <<http://www.cahperd.ca/eng/index.cfm>>. Consulted 2 May 9, 2006.

Since 1989, a private specialty channel, *Channel One*, has been broadcasting to 12,000 participating American schools 10 minutes of information to which two minutes of advertising are added¹¹⁸. Each day, *Channel One* serves up advertising that encourages the consumption of food rich in energy and poor in nutritional quality¹¹⁹, and is seen by eight million young people, sixth grade and up, a number equal to that of Super Bowl television viewers¹²⁰.

In 1999, the Montreal group Athena Educational Partners, the owners of *Youth News Network* (YNN), tried to introduce the *Réseau Actualité-Jeunesse* (RAJ), based on the *Channel One* American model, in 2,000 high schools throughout the country. This form of direct advertising stirred an outcry of protest, particularly on the part of the Canadian Federation of Teaching and Teachers (FCE). The president of the FCE, Ms. Jan Eastman, stated:

“The RAJ represents an insidious and provocative power grab of teaching time and teaching material, the students being a captive audience... The so-called “partnerships” between education and the private sector fit into a growing trend with companies involving themselves in the schools and, generally, with a more marked influence of market values on education... The FCE approves cable education as a pedagogical resource supporting the curriculum. It introduces the media into the classroom in a way that we can support. Cable education is offered without advertisements and, contrary to the RAJ, it allows the teaching staff the freedom to choose the material if, when and how it sees fit”¹²¹.

The RAJ was still able to obtain the approval of the Alberta, Saskatchewan, Ontario and Newfoundland governments and to sign agreements with three schools of the Lester B. Pearson School Board in Quebec and with eight school boards in Manitoba. The initiative did not last long, due to loud protests and opposition from the Quebec, Manitoba, British Columbia, Nova Scotia, Prince Edward Island and Yukon governments¹²². Today, although no official confirmation exists, it seems that the group in charge of *Réseau Actualité-Jeunesse* has given up the fight.

¹¹⁸ Center for Science in the Public Interest (CSPI). *Pestering parents: How food companies market obesity to children*. Washington. November 2003.

¹¹⁹ Center for Science in the Public Interest (CSPI). *Pestering parents: How food companies market obesity to children*. Washington. November 2003.

¹²⁰ International Association of Consumer Food Organizations (IACFO). *Broadcasting Bad Health: Why food marketing to children needs to be controlled*. Washington. July 2003.

¹²¹ Canadian Teachers' Federation (CTF). CTF news: *Le personnel enseignant ne veut pas du RAJ dans les écoles*. March 1, 1999. Online. <<http://www.ctf-fce.ca/fr/press/1999/pr41.htm>>. Consulted December 8, 2005.

¹²² Canadian Centre for Policy Alternatives (CCPA). Press release. 10 July 2000. *In the Corporate Interest: the YNN Experience in Canadian Schools*. Online. <<http://www.policyalternatives.ca/index.cfm?act=news&do=Article&call=310&pA=BB736455&type=1>>.

The latest information available dates from 2000 and is found in an exhaustive report on the subject, published by the Canadian Centre for Policy Alternatives¹²³. This report concludes that it is totally inappropriate, even destructive to the public education system, to put schools in a situation where philanthropic strategies are there to serve the interests of industry and not of the students. The report goes on to mention that these types of activities are a very poor use of taxpayers' money and classroom time, and an abuse of the students' psychology and purse strings.

The affixing of corporate logos on the athletic equipment of school teams is another example of direct advertising coveted by companies. This form of advertising enables the industry to claim a certain balance: for example, a fast-food restaurant company could emblazon its logo on the jerseys of a school's athletes and, using this as a starting point, support the physical training and energy expenditure of the young while encouraging them to consume their own products after the game, sometimes supplementing their strategy with a discount coupon offer.

School vending machines also constitute a very widespread form of advertising, especially in Canada and the United States. Quite often, because schools are financially strapped, school boards sign agreements with multinational soft drink companies to take advantage of exclusive contract royalties.

According to a 2000 report by the American *General Accounting Office* about commercial activities in public schools, exclusive contracts between soft drink companies and schools are the fastest-growing form of advertising, enabling the companies not only to use the front of the vending machines for advertising purposes but to advertise elsewhere as well, in the building or on the school playing fields¹²⁴.

If advertising through vending machines is present in a majority of high schools across the country, this practice would seem to achieve more mixed results in primary schools. Indeed, although it is present in Ontario¹²⁵, British Columbia¹²⁶ and Alberta¹²⁷ primary schools, Quebec's Consumer Protection Act forbids all advertising to children under the age of 13¹²⁸ and vending machines are virtually absent from primary schools.

¹²³ Canadian Centre for Policy Alternatives (CCPA). *In the Corporate Interest: The YNN Experience in Canadian Schools*. July 2000. Online. <http://www.policyalternatives.ca/documents/National_Office_Pubs/ynnexperience.pdf>. Consulted February 6, 2006.

¹²⁴ Story, M. et al. *Food Advertising and Marketing Directed at Children and Adolescents in the US (review)*.

International Journal of Behavioral Nutrition and Physical Activity. Vol. 1, No. 1, (February 2004).

¹²⁵ Ontario Ministry of Education. *Making Ontario Schools Healthier Places to Learn*. Online. <<http://www.edu.gov.on.ca/eng/document/reports/healthyschools/index.html>>. Consulted February 6, 2006.

¹²⁶ *B.C. schools regularly sell junk food to students*. Online. <<http://www.canada.com/vancouver/story.html?id=cec3d3cf-4592-44f5-abd1-3009a2875ca4>>. Consulted 24 April 2006.

¹²⁷ Alberta Public Health Association (APHA). *Elimination of soft drink promotion in schools*. Online. <<http://www.apha.ab.ca/Resolutions/SoftDrinks.pdf>>. Consulted April 24, 2006.

¹²⁸ Office de la protection du consommateur (OPC). *La publicité: Faut en prendre et en laisser*. Online. <http://www.opc.gouv.qc.ca/publications/dep_publicite.asp>. Consulted February 6, 2006.

Mounting pressure from parental groups wanting to shield children from advertising and to promote a healthier diet has led to initiatives to replace the contents of soft drink vending machines in schools with less-sweet fruit juices, bottled water, iced tea and diet soft drinks. These initiatives are gradually spreading across the country (See section 4.1).

The Internet

The Internet today is an integral part of youth culture and is one of the most popular means of communication. In 2003 in Canada, 64% of Canadian households included at least one family member who regularly used the Internet at home, at work, in school, in a library or elsewhere¹²⁹. For households with children under 18, use of the Internet climbed from 41% in 1999 to 73% in 2003¹³⁰. It would appear that Canadians are naturally attracted to the Internet—according to the 2003 annual international report of *The Face of the Web*, a branch of *Ipsos Insight*, a research and marketing consulting firm¹³¹, adult Canadians were the greatest Internet users in the world (71% of Canadian adults having used the Internet in 2003), ahead of South Korea (70%) and the United States (68%)¹³². On March 30, 1999, Canada became the first country to connect all its public schools and libraries to the Internet¹³³.

Given its penetration rate among the young, the Internet is an avenue of choice for marketing specialists and the food-processing industry, who wish to target them in online advertising, given the near-absence of advertising regulations on the Internet. A study reports that more than two thirds of child-oriented websites obtain most of their income from commercial advertising¹³⁴. The food-processing industry uses a broad array of marketing strategies on the Internet, from electronic video games to various promotions, as well as children's clubs¹³⁵, screensavers and partnerships with famous companies¹³⁶.

A study undertaken by *Union des consommateurs* in 2004 on the protection of minors (particularly adolescents) on the Internet¹³⁷ revealed three main forms of advertising:

1. Displayed advertising: this is the most visible form of advertising and includes ad clips with bright colours, corporate logos or photos illustrating the product, either within or outside the site, through “pop-ups” activated by the site consulted;
2. Soft ads: very widespread, this type of advertising only displays the product's brand or logo in a discreet manner, or leads the user to another website with the help of hyperlinks;
3. Integrated advertising: quite rare, it can use endorsements speaking highly of the services or products offered and/or integrate advertising within the site's graphic presentation plan and text.

¹²⁹ Statistics Canada. *Internet Use in Canada*. Online.

<<http://www.statcan.ca/english/freepub/56F0003XIE/56F0003XIE2003000.htm>>. Consulted February 9, 2006.

¹³⁰ Statistics Canada. *The Daily*. March 31, 2005. *Television viewing*. Online.

<<http://www.statcan.ca/Daily/English/050331/d050331b.htm>>. Consulted March 2, 2006.

¹³¹ Ipsos Insight. *The Face of the Web*. Online.

<<http://www.ipsosinsight.com/industryfocus/techandcomm/FOW.aspx>>. Consulted April 25, 2006.

¹³² *Utilisation d'Internet : Le Canada au 1er rang*. Online. <<http://www.presence-pc.com/actualite/utilisation-d-Internet-le-canada-au-1er-rang-2786/>>. Consulted February 20, 2006.

¹³³ Government of Canada. *The Canadian Strategy to Promote Safe, Wise and Responsible Internet Use*. Online.

<<http://dsp-psd.communication.gc.ca/Collection/C2-532-2000E.pdf>>. Consulted February 20, 2006.

¹³⁴ Story, M. et al. *Food Advertising and Marketing Directed at Children and Adolescents in the US (review)*. International Journal of Behavioral Nutrition and Physical Activity. Vol. 1, No. 1, (February 2004).

¹³⁵ Ficello. Online. <<http://www.ficello.ca/index2.htm>>. Consulted 1 February 6, 2006.

¹³⁶ Saputo Cheese Heads. Online. <http://www.cheeseheads.ca/index_fr.html>. Consulted February 16, 2006.

¹³⁷ Union des consommateurs. Comité Télécom-inforoute. *Rapport de recherche sur Internet et les jeunes*. Online. <http://consommateur.gc.ca/union/docu/telecom/internet_jeunes.pdf>. Consulted April 25, 2006.

Besides these types of commercial advertising, the Internet's interactive environment makes it possible to send customized messages and *viral* marketing through discussion groups and *chat rooms*. These techniques can also serve food advertisers, who *infiltrate* these groups to spread information concerning their products or to collect information allowing them to identify an individual, by direct or indirect means (name, telephone number, address, etc.). *Union des consommateurs* report points out the lack of transparency with respect to policies regarding the confidentiality of this data.

2.5. Children's Understanding of Advertising

In their mission to protect youth against advertising, several consumer organizations, as well as public health organizations such as the American Psychological Association (APA), have taken an interest in the effects of food advertising on children and adolescents, and in their level of understanding of this advertising.

Children are, because of their fragility, easier targets for advertisers, who have only to catch their interest to exploit their inexperience and credulity and manipulate them.

The existing literature suggests that food advertising influences the knowledge, behaviour and food preferences of children¹³⁸, because in order to arrive at a mature understanding of commercial advertising, one must be able to distinguish advertisements from regular programming, recognize the persuasive nature of advertising, and apply one's critical faculties. These capabilities are only acquired with time, as a function of the cognitive and intellectual development of children. It is only at about the age of four or five that children start differentiating advertisements from a television program, the first of two conditions required to recognize commercial spots and to protect oneself from them¹³⁹. When they are slightly older, they succeed in making this distinction but are still rudimentary thinkers and tend to believe all the information that is conveyed in advertisements, whether for a toy or a cookie¹⁴⁰.

¹³⁸ Hastings, G. et al. *Review of the research on the effects of food promotion to children*. Centre for Social Marketing. Glasgow, United Kingdom. September 2003. Online.

<<http://www.foodstandards.gov.uk/multimedia/pdfs/foodpromotiontochildren1.pdf>>. Consulted November 30, 2005.

¹³⁹ Kunkel, D. et al. *Report of the APA task force on advertising to children: Psychological issues in the increasing commercialization of childhood*. February 2004. Online. <<http://www.apa.org/releases/childrenads.pdf>>. Consulted December 7, 2005.

¹⁴⁰ Linn, S. *Consuming Kids: the hostile takeover of childhood*. London: The New Press, 2004. 288 pp.

The cognitive aptitudes necessary for understanding the real aims of advertisers include:

- 1) Recognition that the prospects and interests of those who are the source of advertisements differ from those for whom they are intended;
- 2) Recognition that the objective of advertising is to persuade;
- 3) Recognition that the messages intended to persuade are biased;
- 4) Recognition that biased messages require interpretive strategies different from those of unbiased messages¹⁴¹.

The *Federal Trade Commission* (FTC) also recognizes that children aged six and younger fully trust advertising messages and do not understand the bias associated with television commercials' attempt to persuade¹⁴². Children aged seven or eight have great difficulty in interpreting commercial advertisements, as shown in several studies; one recent study, conducted by Oates and associates, maintains that even at age ten, the persuasive nature of television commercials is still not well understood¹⁴³. It is only at the beginning of adolescence that the young truly start to understand the real nature of advertising, which is to try to sell a product with the object of making a profit¹⁴⁴. Literacy initiatives intended to increase children's level of understanding and judgment regarding advertisements have proven of little theoretical and practical value¹⁴⁵.

Protecting a more vulnerable public is why a great number of consumer advocacy associations, public health organizations, parent, teacher and psychologist committees are fighting for better protection of the young against advertising.

2.6. Why Target the Young?

Advertising firms and the food-processing industry have well understood, particularly since the beginning of the 1980s, the effect that advertising can have on the consumer habits of the young. For at least 25 years, aggressive media campaigns, which have intensified in the past decade, have specifically targeted the young, recognized by the industry as individuals having a purchasing power all their own as well as an undeniable influence over the purchases made by their parents. Studies have been conducted on children to ascertain which commercial strategy intended for them is most effective in encouraging them to nag their parents to buy an advertised product¹⁴⁶.

¹⁴¹ Kunkel, D. et al. *Report of the APA task force on advertising to children: Psychological issues in the increasing commercialization of childhood*. February 2004. Online. <<http://www.apa.org/releases/childrenads.pdf>>. Consulted December 7, 2005.

¹⁴² Centre for Science in the Public Interest (CSPI). *Pestering parents: How food companies market obesity to children*. Washington. November 2003.

¹⁴³ Oates, C. et al. *Children and television advertising: When do they understand persuasive intent?* Journal of Consumer Behavior. Vol. 1, No. 3, (February 2002), pp. 238-245.

¹⁴⁴ Consumers International (CI). *The junk food generation: A multi-country survey of the influence of television advertisements on children*. Kuala Lumpur. May 2004.

¹⁴⁵ Kunkel, D. et al. *Report of the APA task force on advertising to children: Psychological issues in the increasing commercialization of childhood*. February 2004. Online. <<http://www.apa.org/releases/childrenads.pdf>>. Consulted December 7, 2005.

¹⁴⁶ Kunkel, D. et al. *Report of the APA task force on advertising to children: Psychological issues in the increasing commercialization of childhood*. February 2004. Online. <<http://www.apa.org/releases/childrenads.pdf>>. Consulted December 7, 2005.

For the young, there are two ways to obtain a product. The first consists of obtaining the desired item themselves by using their pocket money. The second way involves the influence they can bring to bear on their parents: they get what they want by asking for the item (direct influence) outright, or parents, knowing what their child wants, will buy the item themselves, without the child even needing to ask for it (indirect or passive influence).

Children's pocket money spending doubled every decade from 1960 to 1990, and tripled during the 1990s. In 1968, children 4-12 had an annual purchasing power of US\$2.2 billion; this amount rose to US\$4.2 billion in 1984, and reached US\$17.1 billion in 1994. In 2002, this purchasing power surpassed \$US40 billion, and experts predict that it will exceed US\$51.8 billion in 2006¹⁴⁷.

James McNeal, an expert in advertising intended for children, estimated that American children age 4-12 would directly and indirectly influence, for the year 2000 alone, a whopping US\$650 billion of parental spending¹⁴⁸.

Apart from aggressive marketing, the rise in child-driven spending can be explained in part by the growing presence on the market of products intended, specifically or not, for the young: energy drinks, food toys, video games, sports and leisure equipment, personal stereos, computers, etc. The manufacturers of sports utility vehicles and vans recognize that children can even influence the choice of a new family car; this influence is estimated at US\$17.7 billion¹⁴⁹.

¹⁴⁷ New American Dream: Kids & Commercialism. *Facts about marketing to children*. Online. <<http://www.newdream.org/kids/facts.php>>. Consulted November 22, 2005.

¹⁴⁸ McNeal, J.U. Cited by Comiteau, J. *When does brand loyalty start?*, appeared in Adweek, (March 2003).

¹⁴⁹ McNeal, J. *Tapping the three kids' markets*. American Demographics. Vol. 20, No. 4, (April 1998) pp. 37-41 Online. <http://www.findarticles.com/p/articles/mi_m4021/is_n4_v20/ai_20497111>. Consulted November 21, 2005.

3. WHO'S CONCLUSIONS ON CHILDREN'S DIET

In her address to the World Assembly of the World Health Organization (WHO) in 2002, Ms. Gro Harlem Brundtland, director general of WHO, expressed herself in these terms on marketing that targets the young:

“...The promotion of brand names -- whether it is tobacco, alcohol or fast food -- attempts to take advantage of the subconscious. Messages are used that influence behaviour in a seductive manner. These forms of marketing have an impact on public health. They influence our behaviour, and that of our children in particular. Since they are designed to succeed, they have serious consequences on those who are targeted. We must strive to communicate messages that promote healthy lifestyles and healthy products. We should in this regard play the role of a guide”¹⁵⁰.

The following year, in 2003, WHO published a report titled “Diet, nutrition and the prevention of chronic diseases”¹⁵¹, which examines, among other things, the scientific basis for relationships between eating habits and leading chronic diseases. This report, issued jointly by experts from the WHO and the Food and Agriculture Organization of the United Nations, sets forth a series of recommendations intended to reduce mortality and the disabilities caused by chronic illnesses, and formulates diet and nutrition targets. Some of the significant findings of the report on the consumption and promotion of food rich in sugar, salt or fat have clearly identified advertising as a heightened risk factor for weight gain and obesity (Table 1).

Table 1

Certain arguments identified by WHO relating to the factors likely to lead to weight gain or obesity

Adapted from *Diet, nutrition and the prevention of chronic diseases*, WHO, 2003

Argument	Heightened risk
Convincing	High influx of food that is energy-poor in micronutrients (a)
Likely	Intense promotion of energizing food and fast-food points of sale; High consumption of soft drinks, sweet sodas and fruit juices

^a Energy foods poor in micronutrients are usually foods processed with high fat and/or sugar content.

¹⁵⁰ Address to the 55th World Health Assembly in Geneva on Monday, May 13, 2002. Online. http://www.who.int/director-general/speeches/2002/english/20020513_adresstothe55WHA.html. Consulted March 6, 2006.

¹⁵¹ World Health Organization (WHO). *Diet, Nutrition and the Prevention of Chronic Diseases*. Technical Reports Series 916. Report of a joint WHO/FAO expert consultation. Geneva, 2003. Online. http://whqlibdoc.who.int/trs/WHO_TRS_916.pdf. Consulted March 6, 2006.

Following up on the 2003 report as well as a request presented by Member States at the World Assembly on Health in 2002, WHO approved, in May 2004, its Global Strategy on Diet, Physical Activity and Health¹⁵², the outcome of a vast series of consultations with the parties concerned. This strategy includes several findings and recommendations involving all sectors: WHO itself, the governments of Member States, international partners (FAO, UNICEF, UNESCO, WTO, etc.), non-trading companies, nongovernmental organizations (NGOs) and the private sector. The table below lists WHO's chief recommendations concerning child nutrition directly or indirectly, and classified by sector (Table 2).

Table 2
Summary of recommendations put forward by the Global Strategy on Diet, Physical Activity and Health of the World Health Organization (WHO) – 2004

Sector	Recommendations
WHO	<ul style="list-style-type: none"> • Facilitate the development and promotion of national and regional policies, strategies and action plans to improve nutrition • Facilitate the drafting and implementation of national diet recommendations • Research and disseminate information on fact-based interventions, policies and structures to promote healthy eating • Provide appropriate technical support, models and methods for nutritional interventions • Encourage and support the training of health professionals with respect to healthy eating habits • Advise Member States on ways of getting industry to cooperate with their actions
Member States	<ul style="list-style-type: none"> • Launch and develop a healthy diet strategy and ensure that it is implemented and followed up in the long term • Develop appropriate multi-sector approaches to deal with the marketing of food to children and other aspects such as sponsorship, promotion and advertising; food and drink advertisements should not prey on the inexperience and credulity of children • Attack messages that encourage harmful eating habits or a sedentary lifestyle, and promote messages that encourage the young to remain healthy • Take measures, particularly through commercial incentives, to promote the development, production and marketing of healthy products • Consider additional measures to reduce the salt content of prepared foods, the resort to hydrogenated oils and the sugar content of sweet drinks and snacks • Adopt healthy nutritional policies in schools and limit the availability of products with a high salt, sugar or fat content • Discuss with schools, parents and authorities the possibility of signing contracts with local producers of quality foods to supply school cafeterias

¹⁵² World Health Organization (WHO). *World Strategy on diet, physical activity and health*. Online. <http://www.who.int/gb/ebwha/pdf_files/WHA57/A57_R17-en.pdf>. Consulted May 4, 2006.

International Partners	<ul style="list-style-type: none"> • Encourage policies to prevent incommunicable diseases and promote health through proper diet • Reinforce the application of international standards for marketing that de-emphasizes poor eating habits, for information on healthy consumer habits, and for ways of increasing fruit and vegetable consumption
Non-trading Societies and NGOs	<ul style="list-style-type: none"> • Mobilize the community and see to it that healthy nutrition is on the agenda of public health officials • Contribute to a broad dissemination of information on incommunicable diseases through a healthy, balanced diet • Underscore the role of government at all levels in the promotion of public health and a healthy diet; follow up on progress in meeting targets; monitor the actions of partners such as private entities, and cooperate with them • Organize campaigns and demonstrations to stimulate action
Private Sector	<ul style="list-style-type: none"> • Limit the content of saturated fats, trans fatty acids, sugar and salt in existing products • Continue to develop and offer healthy, nutritious products affordable to consumers • Consider putting new products on the market that have greater nutritional value • Adopt responsible marketing practices, particularly regarding the promotion and marketing of food rich in saturated fats, trans fatty acids, sugar and salt, above all to children

4. INITIATIVES FOR MEETING WHO TARGETS IN THE FIGHT AGAINST JUNK FOOD (CANADA, UNITED STATES, EUROPEAN UNION)

WHO has sent out the message to all sectors that it is time to get down to business searching together for solutions that will promote good nutrition and fight junk food among young and less-young people. Several countries, including Canada, have taken steps toward implementing measures – some more aggressively than others – intended to reach the WHO targets.

4.1. In Canada

In October 2005, in response to WHO's plea, Canada launched its Integrated Pan-Canadian Healthy Living Strategy (IPCHLS), focusing on diet, physical activity and healthy weight among the population¹⁵³. The IPCHLS's strategy is based on leadership and policy development, knowledge development and transmission, community and infrastructure development, and public information. One of the leading principles of the Canadian Strategy is a partnership and sharing of responsibilities with, among others, the private sector, communities and non-profit organizations, provincial, territorial and municipal governments, members of the liberal professions, particularly those in the health sector, and sanitation authorities. Annex A of the Canadian Strategy details the provincial/territorial targets for a healthy lifestyle.

British Columbia, Alberta, New Brunswick and Nova Scotia, for example, have put everything in place, concurrently with the Canadian Strategy but in line with its targets, to push programs aimed at increasing by 10%-20% the number of individuals who consume the recommended daily quantity of fruit and vegetables – 5-10 portions – recommended by Health Canada.

Quebec has decided not to participate in the Canadian Strategy, preferring to go it alone in the development and implementation of programs promoting a healthy lifestyle. In 2005, the Quebec government launched its *Défi Santé 5/30*, which urges all Quebecers to eat a minimum of five portions of fruit and vegetables and to engage in at least 30 minutes of physical activity daily.

Three possible avenues related to WHO's child nutrition targets are under consideration by the IPCHLS: one avenue is short-term (6-18 months), for promoting health in schools through nutritional policies/standards; and two are medium-term (18-60 months), one for working with the private sector to consider marketing more-nutritional products, and the other for examining the regulation of advertising and marketing directed at children, to ensure that they encourage healthy lifestyles¹⁵⁴.

¹⁵³ Public Health Agency of Canada (PHAC) *Healthy Living*. Online. <<http://www.phac-aspc.gc.ca/hl-vs-strat/index.html>>. Consulted February 23, 2006.

¹⁵⁴ Secretariat for the Intersectoral Healthy Living Network. *Integrated Pan-Canadian Healthy Living Strategy*. Appendix D. Public Health Agency of Canada (PHAC), Health Canada. Online. <http://www.phac-aspc.gc.ca/hl-vs-strat/pdf/hls_e.pdf>. Consulted May 3, 2006.

The latter two avenues contrast with the WHO targets by encouraging the marketing of healthier food products but without restricting the use, supply and advertising of less-nutritious foods such as those rich in fat, salt and sugar. The IPCHLS does not anticipate measures aimed at providing school cafeterias with quality foods supplied by local producers.

In 2003, Health Canada introduced new mandatory nutritional labelling regulations that require food manufacturers to state their products' saturated fat and trans fat content, and that authorize food health warnings, particularly concerning risks of high blood pressure, stroke, heart disease, osteoporosis and certain types of cancer¹⁵⁵.

A study group on trans fats is now working under the direction of Health Canada and the Heart and Stroke Foundation of Canada to develop recommendations concerning:

- 1) The labelling of food as well as "any immediate possibility of the food-processing and restaurant industries" of reducing trans fat content;
- 2) The establishment of an appropriate regulating body; and
- 3) The introduction and spread of healthy alternative solutions in such a way as to effectively attain the objective of eliminating or reducing as much as possible the content of trans fats in the food consumed in Canada¹⁵⁶.

The impact of poor nutrition on the young is a well-known problem; initiatives to counter junk food in the schools and promote a healthy diet, whether they originate from government or school commissions, are numerous, and several others are in the works in Canada.

Initiatives in Quebec to ban junk food in schools, cafeterias and vending machines are selective and developed ad hoc and in different ways. In spite of a commitment by the government to implement a nutritional policy that would eliminate junk food from Quebec high schools starting in June 2005^{157,158}, and the announcement of a 2006-2009 youth strategy that comprised some 80 measures, this policy has yet to take effect, the government preferring to make children responsible and to "rally" all the players to the goal of ending the presence of French fries, poutine, etc. in school¹⁵⁹.

For now, initiatives to control the presence of food rich in fat, salt and sugar in Quebec schools are still the school boards' responsibility. School food policies exist in some places but not in others; they are varied in scope and are not always followed. For example, since October 2005 the Sherbrooke School Board has established a protocol to remove junk food from its three high schools¹⁶⁰. Taking advantage of the period of contract renewal with the dealers and following the advice of dieticians, the schools' cafeterias came up with a varied menu adapted to

¹⁵⁵ Canada Gazette. Vol. 137, No. 1. January 1, 2003. *Regulations Amending the Food and Drug Regulations (Nutrition Labelling, Nutrient Content Claims and Health Claims)*. Online.

<<http://canadagazette.gc.ca/partII/2003/20030101/html/sor11-e.html>>. Consulted March 10, 2006.

¹⁵⁶ Health Canada. *Food and Nutrition*. Online. <http://www.hc-sc.gc.ca/fn-an/nutrition/gras-trans-fats/tff_tor-gegt_mandat_02-17-eng.php>. Consulted March 10, 2006.

¹⁵⁷ Québec s'attaque à la «malbouffe» dans les écoles. December 2, 2004. Online. <<http://lc.n.canoe.com/lcn/sciencesetmedecine/sciences/archives/2004/12/20041202-131209.html>>. Consulted March 10, 2006.

¹⁵⁸ Radio-Canada. *Maison neuve en direct*, 2 December 2004. *Pourquoi doit-on interdire la malbouffe dans les écoles?* Online. <<http://radio-canada.ca/radio/maisonneuve/02122004/42905.shtml>>. Consulted February 6, 2006.

¹⁵⁹ Le Devoir. *Québec n'interdira pas la malbouffe*. Online. <<http://www.ledevoir.com/2006/03/30/105607.html>>. Consulted May 3, 2006.

¹⁶⁰ Radio-Canada. *Sus à la malbouffe dans les écoles secondaires de Sherbrooke*. Online. <http://radio-canada.ca/regions/estrie/nouvelles/200510/01/002-malbouffe_sherbrooke.shtml>. Consulted March 10, 2006.

students' tastes. To exercise some control over the adolescents' diet, the schools' cafeterias sell parents coupons to prevent the youth from having pocket money to go eat at a fast-food restaurant chain. The Marguerite-Bourgeoys¹⁶¹ and Lester B. Pearson School Boards in the Greater Montreal Area also applied food policies to make healthy food accessible and ban the sale of junk food. The Lester B. Pearson School Board, for example, forbids cooking with grease in a deep fryer as well as the sale of food with high sugar, salt and fat content (chewing gum, soft drinks or fruit drinks, chocolate bars, nuts, salted peanuts or pretzels, cheese sticks, pastries, flavoured ice cream, chips, etc.) and drinks containing a high level of caffeine¹⁶². In the Saguenay, the Rives-du-Saguenay and Jonquière School Boards have also taken health measures: The eight high schools in these two districts now offer healthy menus resembling home cooking and, once a week, oven-baked French fries¹⁶³.

According to the person in charge of nutrition at the *Fédération des commissions scolaires du Québec* (FCSQ), Ms. Brigitte Roy, about 90% of francophone school boards in Quebec have followed suit and have adopted or are revising or developing a nutritional policy aimed at promoting a healthy diet¹⁶⁴. Also according to Ms. Roy, the FCSQ would likely strongly oppose a school food policy imposed by the government, as the school boards she represents are independent and democratic entities run by commissioners elected by universal suffrage¹⁶⁵, and this type of policy falls under their jurisdiction. This opinion seems to be shared by the Quebec government, which claims that to arrive at the adoption and application of a policy of this type, it must "absolutely rally school boards, schools, administrators, teachers and support personnel"¹⁶⁶.

¹⁶¹ Fédération des Commissions scolaires du Québec (FCSQ). *Magazine Savoir*, September 2005. Online. <<http://www.fcsq.qc.ca/Publications/Savoir/Septembre-2005/Savoir-Septembre-2005.pdf>>. Consulted March 10, 2006.

¹⁶² Manual of Policies, Procedures and By-laws, Lester B. Pearson School Board. *Food & Nutrition Policy*. Online. <<http://www.lbpsb.qc.ca/policies/Food%20-%20Policy%202.5.pdf>>. Consulted March 13, 2006.

¹⁶³ Lévesque, J. *Huit polyvalentes du Saguenay: Le virage santé est déjà engagé*. Le Quotidien. January 31, 2006. Online. <<http://www.cyberpresse.ca/article/20060131/CPACTUALITES/601310700/5276/CPACTUALITES>>. Consulted February 6, 2006.

¹⁶⁴ Taken from a telephone conversation with Ms. Brigitte Roy, in charge of the nutrition file at the FCSQ. March 14, 2006.

¹⁶⁵ Fédération des commissions scolaires du Québec (FCSQ). Press releases. *Une démocratie unique en son genre!* Montreal, May 31, 2001. Online. <<http://www.fcsq.qc.ca/Presse/Communiques/2001/20010531A.html>>. Consulted March 14, 2006.

¹⁶⁶ Le Devoir. *Québec n'interdira pas la malbouffe*. Online. <<http://www.ledevoir.com/2006/03/30/105607.html>>. Consulted May 3, 2006.

In New Brunswick, a policy of **Healthier Foods and Nutrition in Public Schools** by the Department of Education, in effect since October 2005, requires that food of average to maximum value¹⁶⁷ be sold and promoted in public primary schools, including food offered in vending machines. In provincial high schools, food of minimum nutritional value should be gradually phased out by September 2007¹⁶⁸.

The Ontario plan, launched in October 2004, aimed at healthy schools favourable to learning; the Ministry of Education required public primary school boards to gradually withdraw junk food from their vending machines and to replace it with healthy food and drinks. The school boards had to report their progress to the government on 14 January 2005¹⁶⁹.

In Alberta, a resolution was adopted by the Alberta Public Health Association in May 2003 to eliminate soft drinks from schools, notably by informing the Department of Education and school boards that signing exclusive contracts with food companies fostered dietary habits that could lead to obesity, and by encouraging the Department of Education to increase its financial support to reduce the dependence of schools on revenue from the sale of soft drinks¹⁷⁰.

In British Columbia, the Departments of Education and Health combined their efforts to establish guidelines for the sale of food and drinks in schools¹⁷¹.

Those guidelines, which were influenced by a provincial report on food sales in schools and on related food policies, divide food and drink into four categories: 1) preferable, 2) to be chosen sometimes, 3) to be chosen least often and 4) not recommended. Under these guidelines, food and drink vending machines in schools should contain 50% of items from the first category, 40% from the second and only 10% from the third¹⁷². The sale of food and drinks not recommended should be phased out of the schools by 2009¹⁷³.

¹⁶⁷ According to this policy, food of maximum nutritional value is a good or excellent source of important nutrients that have a low fat, sugar or salt content. Food of average nutritional value is a source of nutrients that have a high fat, sugar or salt content, but that cannot be offered more than twice a week. Food of minimum nutritional value offers few nutrients, while being rich in fat, sugar or salt.

¹⁶⁸ Government of New Brunswick. Department of Education. Online. <<http://www.gnb.ca/0000/pol/e/711A.pdf>>. Consulted March 10, 2006.

¹⁶⁹ Government of Ontario. Ministry of Education. *Policy/Program Memorandum No. 135*. Online. <<http://www.edu.gov.on.ca/extra/eng/ppm/135.html>>. Consulted March 13, 2006.

¹⁷⁰ Alberta Public Health Association (APHA). *Elimination of Soft Drink Promotion in Schools*. Online. <<http://www.apha.ab.ca/Resolutions/SoftDrinks.pdf>>. Consulted May 4, 2006.

¹⁷¹ Government of British Columbia. Ministry of Education. *Guidelines for Food and Beverage Sales in BC Schools*. (November 2005). Online.

<<http://www.bcliberals.com/EN/309/8152?PHPSESSID=57c3cca18ddbf53c02cf9fa63baa64c3>>.

¹⁷² BC Liberals. *Food Guidelines to Help Schools Improve Student Health*. Online.

<<http://www.bcliberals.com/EN/309/8152?PHPSESSID=57c3cca18ddbf53c02cf9fa63baa64c3>>. Consulted May 4, 2006.

¹⁷³ The food and drinks include sweets and drinks in which sugar is either the first ingredient or the second ingredient after water; these products have undergone extensive processing or contain high levels of sweeteners, salt, fat, *trans* fat or calories by comparison to their nutritional value.

For the time being, the implementation of these guidelines has proven effective and successful in a great number of schools, by following four strategic steps:

- 1) Establishment of partnerships with the main interested parties (teachers, students, merchants, health professionals, etc.);
- 2) Development of policies likely to influence the types of products sold on school premises and during fund-raising campaigns;
- 3) Development of transition plans allowing the main interested parties (students, parents, teachers, etc.) the time to adapt to change;
- 4) Development and implementation of marketing mechanisms intended to promote healthier food.

Other Canadian provinces have set out to reform or adopt their food policies to promote a healthy diet and to limit the presence of food of poor nutritional quality in the schools. This is the case for Saskatchewan, which through the Saskatchewan School Boards Association set forth new guidelines in this area in 2004¹⁷⁴. The Nova Scotia Health and Education Departments are considering a food policy based on public consultation. This policy, involving issues of food safety and of food types currently sold in cafeterias and vending machines, was scheduled to be gradually integrated into the schools during the 2005-2006 school year¹⁷⁵.

Some industry sectors are helping to promote healthy nutrition in schools. For example, *Refreshments Canada*, a lobby group that represents, among other entities, the two largest soft drink manufacturers, has agreed to replace, beginning in September 2004, soft drinks in primary school vending machines with bottled water and 100% pure juices¹⁷⁶. The front of the vending machines will display only the logos of non-carbonated beverages and/or pictures depicting healthy lifestyles. The group also recommends that logos of soft drink brands not be displayed on athletic uniforms and equipment provided by soft drink companies. Although no data exists that would make it possible to measure the companies' level of cooperation regarding this voluntary program, the group's director of public affairs, Ms. Calla Farn, confirms that these guidelines have taken hold and that they are supported across Canada, further noting that these measures have spread to the country's high schools¹⁷⁷.

¹⁷⁴ Saskatchewan School Boards Association. *Nutrition Guidelines for Schools*. Online. <<http://www.saskschoolboards.ca/research/students/04-01.pdf>>. Consulted March 13, 2006.

¹⁷⁵ Government of Nova Scotia. Nova Scotia Health Promotion. *New initiatives in 2005-06 to address overweight and obesity in Nova Scotia*. Online. <http://www.gov.ns.ca/ohp/repPub/obesity_factsheet_sept05.pdf>. Consulted March 13, 2006.

¹⁷⁶ Refreshments Canada. *Beverage Choices For School Children*. Online. <http://www.refreshments.ca/en/behealthy/template_5_show.asp?id=121§ion=choices>. Consulted May 4, 2006.

¹⁷⁷ Information obtained by email on 25 April 2006 on the part of Ms. Calla Farn, public affairs director of Refreshments Canada.

Hundreds of Canadian nongovernmental organizations and non-trading companies¹⁷⁸ are working to promote a healthy diet and to fight junk food¹⁷⁹. The Chronic Disease Prevention Alliance of Canada has just published, in February 2006, a document on food and drink advertising aimed at children¹⁸⁰. This report points to political options, such as tightening regulations on advertising intended for children, levying special taxes on fast-food advertising, or giving tax credits for advertising healthy food to promote healthy lifestyles. The Canadian Federation of Teaching and Teachers has carried out a national survey on marketing in the schools. This survey ascertained that 56% of high schools and 19% of primary schools in the country had signed exclusive marketing contracts with the two leading soft drink companies¹⁸¹.

Other initiatives take the form of calls for action, such as the one launched by l'Association pour la santé publique du Québec¹⁸², or public awareness raising activities, such as *Union des consommateurs* taking part in a public forum to find solutions to eradicate junk food¹⁸³, or the activities of the Media Awareness Network. This non-profit organization offers a vast array of resources to develop young people's critical faculties regarding the mass media and other communications technologies, and it attempts to "make the public aware of the influence exercised by the media on children and adolescents"¹⁸⁴.

4.2. In the United States

The Secretary of the *Department of Health and Human Services* (DHHS), in a letter addressed to the director general of WHO, opposed, on the basis of a lack of scientific rigour, the findings and recommendations of the WHO report, "Diet, Nutrition and the Prevention of Chronic Diseases", published in 2003¹⁸⁵. The DHHS mentioned that the only way to arrive at credible findings and recommendations would have been to use open and transparent procedures, based on science, which WHO failed to do.

In a March 2, 2004 editorial, the Canadian Medical Association Journal (CMAJ) reported the position of the United States concerning WHO's Global Strategy on Diet, Physical Activity and Health:

¹⁷⁸ A partial list of these organizations is available on the Web site of the Centre for Science in the Public Interest (CSPI), a non-profit public health organization deeply involved in the issue. See: *Recommendations for an Effective Pan-Canadian Healthy Living Strategy*. Online. <http://www.cspinet.org/canada/pdf/PanCdn_EffectiveStrat.pdf>. Consulted March 16, 2006.

¹⁷⁹ The Canadian Centre for Policy Alternatives (CCPA). *In the Corporate Interest: The YNN Experience in Canadian Schools*. Online. <http://www.policyalternatives.ca/documents/National_Office_Pubs/ynnexperience.pdf>. Consulted May 4, 2006.

¹⁸⁰ The Chronic Disease Prevention Alliance of Canada (CDPAC). *Background paper: Marketing and Advertising of Food and Beverages to Children*. February 2006.

¹⁸¹ Canadian Teachers' Federation (CTF). *A survey on commercialization in schools*. Perspectives. Vol. 5, No. 3 (fall 2005). Online.

<<http://www.ctf-fce.ca/bilingual/publication/pdnews/PerspectivesFall05FFinal.pdf>>. Consulted May 4, 2006.

¹⁸² Association pour la santé publique du Québec (ASPQ). Press release. January 30, 2006. *Les problèmes reliés au poids au Québec : un appel à l'action*. Online.

<http://www.aspq.org/view_page.php?type=theme&id=53&article=2433>. Consulted May 4, 2006.

¹⁸³ Forum sur la malbouffe: Quels moyens se donner pour lutter contre la malbouffe? October 29, 2005, Montréal. Organisé par l'Association Manger Santé Bio. En ligne.

<http://pages.infinit.net/lcid/ashq/symposium_05_deroulement.htm>. Consulted May 4, 2006.

¹⁸⁴ The Media Awareness Network. *Our Mission*. Online. <http://www.media-awareness.ca/english/corporate/about_us/mission.cfm>. Consulted May 5, 2006.

¹⁸⁵ Steiger WR. United States Department of Health and Human Services (DHHS). January 5, 2004. Online. <<http://cspinet.org/new/pdf/steigerltr.pdf>>. Consulted March 14, 2006.

“The DHHS finds insufficient evidence to support the belief that the heavy marketing of “energy-dense foods or fast-food outlets and high intake of sugar-sweetened soft drinks” increase the risk of obesity, and no data to show an association between television advertising and unhealthy eating habits in children.”¹⁸⁶

The US government finds support from the sugar and salt industries, and from the European Vending Association, who expressed their views to WHO during stakeholder consultations held in spring 2003¹⁸⁷. The CMAJ editorial goes on to report that the *World Sugar Research Organization* claims that WHO has failed to prove that “the marketing and consumption of sweet snacks...worsens the problem of chronic illnesses linked to corpulence and obesity”, while the Salt Institute believes that the prevention of high blood pressure is not a legitimate objective in preventing illness. For its part, the European Vending Association holds the view that “the banning of vending machines from schools would cause children to go outside the schools to satisfy their appetite for snacks”¹⁸⁸.

In spite of the foregoing, the US government has, with a view to promoting a healthy nutrition and lifestyle, taken initiatives that follow some of the recommendations of the WHO report¹⁸⁹:

- In June 2002, President Bush launched the *Healthier US Initiative*¹⁹⁰ and urged Americans to be physically active every day, eat nutritious meals, make healthy choices and undergo screening tests administered by health professionals;
- The DHHS and the United States Department of Agriculture (USDA) are working together to encourage the consumption of 5-9 portions of fruit and vegetables a day, in a campaign known as *5 a day the color way*¹⁹¹;
- Implemented in 1995 by the USDA, the *School Meals Initiative (SMI) for Healthy Children*¹⁹² requires that schools belonging to the program follow the *Dietary Guidelines for Americans*¹⁹³;
- In March 2004, the DHHS formed a partnership with the *Advertising Council* to run a television and radio advertising campaign promoting healthy eating habits and physical activity. This campaign, the *Healthy Lifestyles and Disease Prevention Initiative*, also included the launch of a Web site¹⁹⁴ that underscored the importance of healthy lifestyles and personal responsibility;
- *Team Nutrition*, another USDA initiative, provides technical support to other programs and education campaigns promoting healthy eating habits and physical activity, and

¹⁸⁶ Canadian Medical Association Journal (CMAJ). Editorial. Vol. 170, No. 5 (March 2004). Online. <<http://www.cmaj.ca/cgi/content/full/170/5/759>>. Consulted March 14, 2006.

¹⁸⁷ WHO. *Noncommunicable Disease Prevention and Health Promotion. Global Strategy*. Online. <http://www.who.int/hpr/gs_comments.shtml>. Consulted 14 March 2006.

¹⁸⁸ Canadian Medical Association Journal (CMAJ). Editorial. Vol. 170, No. 5 (March 2004). Online. <<http://www.cmaj.ca/cgi/content/full/170/5/759>>. Consulted March 14, 2006.

¹⁸⁹ An exhaustive list of the various US federal programs and inter-departmental initiatives is also available online: <<http://www.fiu.edu/~nutreldr/SubjectList/P/FinalFederalInitiatives408.pdf>>. Consulted March 15, 2006.

¹⁹⁰ The White House. President George W. Bush. *Healthier US*. <<http://www.whitehouse.gov/infocus/fitness/>>. Consulted March 14, 2006.

¹⁹¹ *5 a day the color way*. Online. <<http://www.5aday.com/html/background/mou.php>>. Consulted March 15, 2006.

¹⁹² United States Department of Agriculture (USDA). Food and Nutrition Service. *The Road to SMI Success - A Guide for School Food service Directors*. Online. <<http://www.fns.usda.gov/tr/Resources/roadtosuccess.html>>. Consulted March 15, 2006.

¹⁹³ These recommendations consist of a varied diet with 30% or less calories coming from fat and less than 10% of calories coming from saturated fats. It is also recommended to choose food low in cholesterol, moderate in salt and rich in fruit, vegetables and cereals.

¹⁹⁴ Online. <<http://www.smallstep.gov/>>. Consulted March 15, 2006.

specifically addresses students and teachers in American schools. These are a few examples of their campaigns: *Eat Smart, Play Hard*¹⁹⁵, *Changing the Scene*¹⁹⁶ and *Fruits & Vegetables Galore: Helping Kids Eat More*¹⁹⁷;

- More recently, a campaign titled *A Healthier You*¹⁹⁸, based on the latest changes in nutritional recommendations for Americans (*Dietary Guidelines for Americans*) introduced by the USDA and DHSS in 2005, emphasizes the need for a balance between healthy food choices and physical activity;
- The *Food and Drug Administration* has required, since January 1, 2006, that food manufacturers reveal the quantity of trans fat contained in food and food supplements¹⁹⁹.

Directories of the main healthy lifestyle programs are available on the websites of the DHHS Office of Disease Prevention and Health Promotion (ODPHP)²⁰⁰ and the *Food and Drug Administration*²⁰¹. There are also several joint programs involving US federal government partnerships with the private sector, notably with the *American Diabetes Association*, the *American Heart Association* and the *American Cancer Society*²⁰², to promote a healthy diet and prevent chronic diseases.

Following the example of Canada, many other initiatives have been undertaken directly by American states, schools, school boards and municipalities to restrict or ban junk food in their schools. For instance, since September 2003, the City of New York has banned food rich in salt, fat or sugar, including soft drinks and fruit drinks in vending machines and some 800,000 lunches served every day. By 2008, those food products will be replaced with food low in salt, fat or sugar content and with 100% pure fruit juices²⁰³. The city of Philadelphia has adopted a policy that bans soft drinks in its schools. Only fruit juices, water and milk drinks have been allowed since July 2004²⁰⁴.

In an effort to combat obesity, the governor of California, Arnold Schwarzenegger, adopted in September 2005, despite the opposition of the *American Beverage Association*, a law restricting junk food and banning soft drinks in the state's high schools²⁰⁵. This legislation, effective in 2007, would impose limits on sugar and fat contents in food sold in schools, and would only

¹⁹⁵ United States Department of Agriculture (USDA). Food and Nutrition Service. Online. <<http://www.fns.usda.gov/eatsmartplayhard/>>. Consulted March 15, 2006.

¹⁹⁶ United States Department of Agriculture (USDA). Food and Nutrition Service. Online. <<http://www.fns.usda.gov/tr/Healthy/changing.html>>. Consulted March 15, 2006.

¹⁹⁷ United States Department of Agriculture (USDA). Food and Nutrition Service. Online. <http://teamnutrition.usda.gov/Resources/fv_galore.html>. Consulted March 15, 2006.

¹⁹⁸ Department of Health and Human Services (DHHS). Press release. 24 October 2005. *HHS Unveils A Healthier You, A New Consumer-Oriented Book on Healthy Living, Based on the 2005 Dietary Guidelines for Americans* <<http://www.hhs.gov/news/press/2005pres/20051024.html>>. Consulted March 15, 2006.

¹⁹⁹ United States Food and Drug Administration (FDA). *Revealing Trans Fats*. Online. <<http://www.cfsan.fda.gov/~dms/fdatrans.html>>. Consulted March 15, 2006.

²⁰⁰ Office of Disease Prevention and Health Promotion (ODPHP). Online. <<http://odphp.osophs.dhhs.gov/>>. Consulted March 15, 2006.

²⁰¹ United States Food and Drug Administration (FDA). Online. <<http://www.cfsan.fda.gov/~dms/wh-wght.html>>. Consulted March 15, 2006.

²⁰² Department of Health and Human Services (DHHS). Press release. 25 April 2002. *Public/private partnership expands to boost promotion of healthy eating to reduce the risk of disease*. Online. <<http://www.hhs.gov/news/press/2002pres/20020425.html>>. Consulted March 15, 2006.

²⁰³ Organic Consumers Association. Press release. 26 June 2003. *Junk Food Banned from Vending Machines*. Online. <http://www.organicconsumers.org/Toxic/062603_junk_food.cfm>. Consulted March 15, 2006.

²⁰⁴ BBC News. February 9, 2004. *Tough line on school fizzy drinks*. Online. <http://news.bbc.co.uk/2/hi/uk_news/education/3472197.stm>. Consulted March 16, 2006.

²⁰⁵ BBC News. September 16, 2005. Online. <<http://news.bbc.co.uk/2/hi/americas/4251928.stm>>. Consulted March 16, 2006.

allow, in vending machines, fruit juices, water, milk and certain thirst-quenching drinks containing minimum sugar content.

Other American states have also attempted to adopt laws aimed at forbidding the sale of soft drinks in primary and high schools, but have run up against the powerful lobby of the soft drink companies and their associations. This has been the case with Connecticut, Oregon, Arizona, Kentucky, Hawaii, Florida and Illinois, which could do no better than impose a ban affecting primary schools only²⁰⁶.

Following the example of *Refreshments Canada*, the *American Beverage Association*, an organization representing the vast majority of soft drink companies in the United States, approved in August 2005 new guidelines intended to limit the availability of soft drinks and calorie-rich drinks in American public schools. These new guidelines, which will affect about 87% of the beverage market in the schools, ensure that only 100% pure juice and bottled water will be distributed in primary schools, whereas high schools will limit the quantity of soft drinks to 50% of the total variety of available beverages²⁰⁷. The association hopes that its guidelines, which would not enjoy precedence over the regulations of any level of government, will be applied in 75% of the public schools in the country for the 2008-2009 school year and in all schools the following year²⁰⁸.

As in Canada, an impressive number of American nongovernmental organizations and non-trading companies are working non-stop to promote healthy lifestyles and fight junk food. For example, in 2004, *Commercial Alert*, an organization whose mission is to protect family and community values, integrity and democracy from commercialism, and to prevent the exploitation of children, addressed a petition to WHO demanding a world prohibition of fast-food advertising intended for children 12 years old and under. More than 135 organizations, 79 health experts and defenders of children's rights, and 22 elected officials from 18 countries signed this petition²⁰⁹. More recently, *Commercial Alert* sent another petition to the USDA demanding that existing measures be reinforced and that there be greater follow-up on the sale of junk food in schools subscribing to the *National School Lunch Program*²¹⁰.

Another American organization, the *Center for Media Literacy*, plays much the same educational role as the Media Awareness Network in Canada, and develops young people's skills in better analyzing and evaluating the content of advertisements conveyed by 21st century media²¹¹.

²⁰⁶ AlterNet. June 17, 2005. *The Junk Food Lobby Wins Again*. Online. <<http://www.alternet.org/envirohealth/22259/>>. Consulted March 16, 2006.

²⁰⁷ American Beverage Association (ABA). *Beverage Industry Announces New School Vending Policy: Plan Calls for Lower-calorie and/or Nutritious Beverages in Schools and New Limits on Soft Drinks*. Online. <http://www.ameribev.org/pressroom/2005_vending.asp>. Consulted May 5, 2006.

²⁰⁸ CNN.com. *Companies pulling sodas out of schools*. Online. <<http://www.cnn.com/2006/HEALTH/diet.fitness/05/03/softdrinks.schools.ap/index.html>>. Consulted May 5, 2006.

²⁰⁹ Commercial Alert. Press release. February 27, 2004. *Health Experts Call for Worldwide Ban on Marketing of Junk Food to Kids*. Online. <http://www.commercialalert.org/issues-article.php?article_id=220&subcategory_id=36&category=2>. Consulted March 16, 2006.

²¹⁰ Under the *Competitive Foods Rule*, junk food such as ice cream, soft drinks, and other snacks of minimal nutritional value are forbidden. Schools that fail to follow the regulations would normally lose their Program funding. Commercial Alert. Press release. April 26, 2005. *Commercial Alert Petitions USDA to Enforce Restrictions on Sale of Junk Food in Schools*. Online. <http://www.commercialalert.org/issues-article.php?article_id=301&subcategory_id=36&category=2>. Consulted March 16, 2006.

²¹¹ Center for Media Literacy (CML). *About CML*. <http://www.medialit.org/about_cml.html>. Consulted May 5, 2006.

It would be tedious to go over all the initiatives put forward by the many organizations involved in the issue, but *Consumers Union* deserves mention; it is an American organization that defends the rights and interests of consumers, and it recently published a report specifically on advertising intended for children²¹². In addition, the Centre for Science in the Public Interest (CSPI) has conducted a national survey on the contents of vending machines in American schools. The results, available in a report published in May 2004, reveal that 75% of beverages and 85% of food distributed through these machines are of poor nutritional quality²¹³.

4.3. In the United Kingdom

In Britain, after more than 12 weeks of public consultations with stakeholders, including consumer groups, the *Food Standards Agency* (FSA) approved in March 2006 a voluntary labelling system based on traffic light configurations²¹⁴, despite the food industry's fears²¹⁵ and the refusal by two of the four main supermarket chains in the country²¹⁶. This user-friendly labelling enables consumers to make quick, healthy choices, among foods low in sugar, total fat and saturated fat, and moderate in salt content.

The FSA has also set up programs intended to promote a healthy diet among children²¹⁷ as well as a campaign and action plan to exercise greater control over the types of food marketed on television and in an academic setting²¹⁸.

In the same vein, the *Child Food Bill*, a private bill, was presented to the British Parliament in June 2005 by *Sustain*²¹⁹ and received the support of over 160 national organizations. This bill, which passed on second reading in the House of Commons on October 27, 2005, is intended to protect children from the marketing of junk food²²⁰.

Britain has also taken measures to block the presence of vending machines in schools²²¹. In May 2005, the government formed a working group, the *School Meals Review Panel*, made up of 25 people from all sectors directly or indirectly related to nutrition, who had the mandate to review nutritional policies in order to issue recommendations for giving young people maximum access to healthy food in the school environment – while limiting access to food of low

²¹² Consumers Union (CU). *Out of balance: Marketing of soda, candy, snacks and fast food drowns out healthful messages*. September 2005. Online. <<http://www.consumersunion.org/pdf/OutOfBalance.pdf>>. Consulted November 15, 2005.

²¹³ Center for Science in the Public Interest (CSPI). Online. <http://cspinet.org/new/pdf/dispensing_junk.pdf>. Consulted May 5, 2006.

²¹⁴ Food Standards Agency. Press release. 9 March 2006. *Board agrees principles for front of pack labelling*. Online. <<http://www.food.gov.uk/news/newsarchive/2006/mar/signpostnewsmarch>>. Consulted March 17, 2006.

²¹⁵ MeatProcess.com. *Food industry fears coming of traffic light labelling*. Online. <<http://www.meatprocess.com/news/nq.asp?id=59387-food-industry-fears>>. Consulted March 17, 2006.

²¹⁶ The Independent. *Supermarkets refuse to adopt 'traffic light' labels*. Online. <http://news.independent.co.uk/uk/this_britain/article350370.ece>. Consulted March 17, 2006.

²¹⁷ Food Standards Agency. *Nutrition*. Online. <<http://www.food.gov.uk/healthiereating/>>. Consulted March 17, 2006.

²¹⁸ Food Standards Agency. *Food Standards Agency agrees action on promotion of foods to children*. Online. <<http://www.food.gov.uk/healthiereating/promotion/>>. Consulted March 17, 2006.

²¹⁹ *Sustain* is a non-profit organization representing more than 100 national public interest groups promoting policies and nutritional and agricultural systems that are beneficial to human and animal health and that improve the environment, enriching culture and society. Online. <http://www.sustainweb.org/about_backinfo.asp#1>. Consulted March 20, 2006.

²²⁰ *Sustain*. *Campaign for the Children's Food Bill - For better food and a healthier future*. Online. <http://www.sustainweb.org/child_index.asp>. Consulted March 20, 2006.

²²¹ BBC News. Press release. 28 September 2005. *Junk food to be banned in schools*. Online. <<http://news.bbc.co.uk/1/hi/education/4287712.stm>>. Consulted March 20, 2006.

nutritional quality – and for meals distributed in the schools to meet nutritional standards²²². The working group, which filed its report in September 2005, recognized that some foods and snacks had no place in schools. It recommended that soft drinks, sweet snacks and chocolate products, nuts, salted chips and chewing gum, among others things, should be banned²²³, and that schools should be supplied to the extent possible with local produce and in line with principles of sustainable development²²⁴. The British government wants each primary and secondary school in the country to apply these recommendations by 2008 and 2009, respectively.

²²² Local Authority Caterers Association (LACA). *A Summary of the Standards & Recommendations of the Caroline Walker Trust*. Online. <<http://www.laca.co.uk/pdfs/CWT.pdf>>. Consulted May 5, 2006.

²²³ Further details on those food products not recommended appear in Annex 3.4 of the report *School Meals Review Panel*. Online. <<http://www.unison.org.uk/file/A2498Appendix.pdf>>. Consulted May 5, 2006.

²²⁴ Department for Education and Skills (DFES). *School dinners. Turning the Tables: Transforming School Food*. Online. <<http://www.dfes.gov.uk/consultations/downloadableDocs/SMRP%20Report%20FINAL.pdf>>. Consulted May 5, 2006.

4.4. In Europe

On March 15, 2005, World Consumer Rights Day, the new European Commissioner for Health and Consumer Protection, Mr. Markos Kyprianou, largely adopted the guidelines of WHO's Global Strategy for Diet, Physical Activity and Health, and officially launched the European Platform for *Action on Diet, Physical Activity and Health*, assembling all the European actors wishing to "make restrictive and verifiable commitments to arrest and reverse the actual trend toward excess weight and obesity"²²⁵.

"The action plan...was designed to encourage other initiatives at the national, regional and local levels and to cooperate with similar forums at the national level...

The Commission considers the action plan as the most promising non-legal means of action seeing as it is in an ideal position to establish trustworthy relations between the principal actors...A meeting with American stakeholders would contribute to exchanges on good practices"²²⁶.

The members of the Platform²²⁷, whose objective is to stimulate voluntary action in the private, public and civil society sectors throughout the European Union by means of a common, coordinated and independent framework, include leading European representatives from the food industry, the restaurant industry, retail sales, the advertising industry, consumer groups and health sector NGOs.

On 3 June 2005, the Council of the European Union adopted the findings and recommendations of its work regarding obesity, diet and physical activity; one of those recommendations was to encourage Member States to launch national strategic initiatives in synergy with the European Platform, thus promoting a healthy diet and physical activity and "ensuring that consumers are not misled by advertising, marketing and promotion activities, and that especially the credulity of children and their limited experience with the media are not exploited"²²⁸. Strategic plans in line

²²⁵ National Assembly of France. Online. <http://www.assemblee-nationale.fr/europe/pdf/doc_e/e3034.pdf>.

Consulted March 16, 2006.

²²⁶ French National Assembly. Online. <http://www.assemblee-nationale.fr/europe/pdf/doc_e/e3034.pdf>. Consulted March 16, 2006.

²²⁷ Europa. European Commission. *EU Platform on Diet, Physical Activity and Health Member Organisations*. Online. <http://europa.eu.int/comm/health/ph_determinants/life_style/nutrition/platform/docs/platform_members.pdf>.

Consulted March 17, 2006.

²²⁸ Council of the European Union. 6 June 2005. Online.

<<http://register.consilium.eu.int/pdf/fr/05/st09/st09803.fr05.pdf>>. Consulted March 17, 2006.

with this model were developed in Sweden²²⁹, Britain²³⁰, France²³¹, Germany²³², Belgium²³³ and Spain^{234,235}.

On 8 December 2005, the Commission of the European Communities adopted its Green Book, "Promoting healthy diets and physical activity: a European dimension for the prevention of overweight, obesity and chronic diseases"²³⁶ and launched at the same time a vast public consultation to "gather information with a view to giving a European dimension to the battle against obesity, in terms of support for and coordination of the existing national measures"²³⁷. The consultation requested a reply to some specific questions contained in the Green Book to determine whether voluntary (self-regulatory) codes were an adequate tool to restrict the advertising of foods high in energy and low in micronutrients and if not, what other viable solutions there were. The results of these consultations should be available on the Commission's Web site starting June 2006.

Concurrently, the Council of the European Union adopted, on December 8 and 9, 2005, common positions on a regulatory plan concerning nutritional and health claims²³⁸. The regulations impose strict conditions on nutritional claims such as "low in fat" or "rich in fibre", subordinating those claims to the product's overall nutritional profile; whereas claims regarding health or disease prevention, for example, "good for your heart", must be scientifically founded and approved by the European Food Safety Authority (EFSA) before they are applied²³⁹.

²²⁹ Livsmedelsverket National Food Administration. *Action plan for healthy eating habits*. Online. <http://www.slv.se/templates/SLV_Page.aspx?id=9281>. Consulted March 17, 2006.

²³⁰ United Kingdom Department of Health. *Healthy living*. Online. <<http://www.dh.gov.uk/PolicyAndGuidance/HealthAndSocialCareTopics/HealthyLiving/fs/en>>. Consulted March 17, 2006.

²³¹ Legifrance. *LOI n° 2004-806 du 9 août 2004 relative à la politique de santé publique*. Online. <<http://www.legifrance.gouv.fr/WAspad/UnTexteDeJorf?numjo=SANX0300055L>>. Consulted March 19, 2006.

²³² Bienvenue au Sénat. *Étude de législation comparée n° 147 - juin 2005 - La lutte contre l'obésité enfantine. Allemagne*. Online. <<http://www.senat.fr/c/lc/lc147/lc1471.html#toc1>>. Consulted March 19, 2006.

²³³ Gouvernement de la Communauté française de Belgique. *Mise en place du plan stratégique de promotion de l'alimentation saine en Communauté Française*. Online. <http://193.190.97.186/~mambo/mambo_cfwb10/index.php?option=content&task=view&id=1010&Itemid=>>. Consulted March 20, 2006.

²³⁴ Bienvenue au Sénat. *Étude de législation comparée n° 147 - juin 2005 - La lutte contre l'obésité enfantine. Espagne*. Online. <<http://www.senat.fr/c/lc/lc147/lc1475.html#toc24>>. Consulted March 19, 2006.

²³⁵ Presidencia del Gobierno. Press release. 10 February 2005. *El Ministerio de Sanidad pone en marcha una estrategia nacional para prevenir la obesidad, mejorar los hábitos alimenticios y fomentar la práctica de ejercicio físico*. Online. <<http://www.la-moncloa.es/ServiciosdePrensa/NotasPrensa/MS/2005/s1002051.htm>>. Consulted March 20, 2006.

²³⁶ Commission of the European Communities. *Green Book: "Promoting healthy diets and physical activity: a European dimension for the prevention of overweight, obesity and chronic diseases"*. Online. <http://ec.europa.eu/health/ph_determinants/life_style/nutrition/documents/nutrition_gp_en.pdf>. Consulted March 17, 2006.

²³⁷ Europa. Press release. December 8, 2005. *Commission launches consultation on how to promote healthy diets and physical activity*. Online. <<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/05/1550&format=HTML&aged=1&language=EN&guiLanguage=en>>. Consulted March 17, 2006.

²³⁸ Europa. Press release. December 8, 2005. Online. <<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/05/1550&format=HTML&aged=1&language=EN&guiLanguage=en>>. Consulted March 17, 2006.

²³⁹ Europa. Press release. June 3, 2005. *Commissioner Kyprianou welcomes Council agreement on Health Claims*. Online. <<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/05/668&format=HTML&aged=1&language=EN&guiLanguage=en>>. Consulted March 17, 2006.

Although no law exists requiring mandatory labelling of trans fats in the European Union, some member countries have experimented with labelling systems. For example, in Sweden, the voluntary labelling system “Keyhole” (Figure 1), designed in 1989 and revised in June 2005, was designed to enable consumers²⁴⁰ to recognize in particular food low in fat, salt or sugar and those rich in fibre.

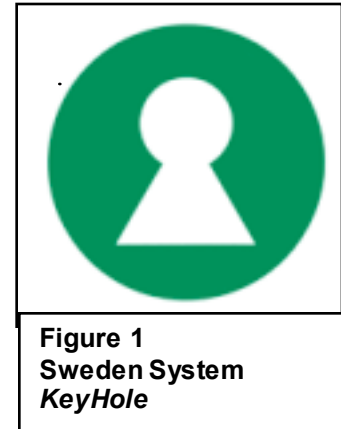


Figure 1
Sweden System
KeyHole

It seems that the appearance of vending machines in European schools is a relatively new phenomenon, though they are still absent in countries like Germany²⁴¹ and Sweden²⁴², for example. However, they can be found in the schools of other countries, some of which, notably Spain²⁴³ and Belgium²⁴⁴, have taken measures, at times drastic, to block their presence. France is the leader in this matter: it passed a law banning all vending machines containing soft drinks and other snacks, and levied a tax on all junk food products that fail to display a health message²⁴⁵. In addition, France requires that nutrition courses be given at the primary school level²⁴⁶.

4.5. Industry

Although the industry has taken some initiatives to reduce the presence of food rich in sugar, salt or fat in school vending machines in certain countries, a recent report made a less than glowing observation about the progress of the 25 largest food-processing companies²⁴⁷, with respect to WHO's recommendations in its *global Strategy for Diet, Physical Activity and Health*.

²⁴⁰ Europa. National Food Administration's administrative provisions on the use of a particular symbol. Online. <<http://europa.eu.int/comm/enterprise/tris/pisa/cfcontent.cfm?vFile=120040493EN.DOC>>. Consulted March 17, 2006.

²⁴¹ The Christian Science Monitor. *French schools' new bête noire: vending machines*. Online. <<http://www.csmonitor.com/2004/1008/p01s02-woeu.html>>. Consulted March 20, 2006.

²⁴² Canstats Bulletins. January 15, 2004. *Soda-Free School Zones*. Online. <<http://www.canstats.org/readdetail.asp?id=619>>. Consulted March 17, 2006.

²⁴³ Euroresidentes. Press release. 11 February 2006. *Spanish government plan to tackle obesity*. Online. <<http://www.euroresidentes.com/Blogs/2005/02/spanish-government-plan-to-tackle.htm>>. Consulted March 20, 2006.

²⁴⁴ Communauté française de Belgique. *Mise en place du plan stratégique de promotion de l'alimentation saine en Communauté Française*. Online. <http://www.gouvernement-francophone.be/dmdocuments/gcf_compres_12_11.pdf>. Consulted March 20, 2006.

²⁴⁵ Le Soleil, September 18, 2004. Zoom. *Améliorer sa santé: Le poids de la vie moderne*. Online. <http://lesoleil.cyberpresse.ca/journal/2004/09/18/zoom/02220_le_poids_de_la_vie_moderne.php>. Consulted February 6, 2006.

²⁴⁶ De Pommereau, I. Christian Science Monitor, October 8, 2004. *French schools' new bête noire: vending machines*. Online. <<http://www.csmonitor.com/2004/1008/p01s02-woeu.html>>. Consulted February 6, 2006.

²⁴⁷ The researchers studied the reports, bank accounts and websites of the ten largest food-processing companies, the ten largest food distributors, three fast-food chains and two institutional catering businesses.

According to the key findings of a study conducted by a team from the *Centre for Food Policy* at *City University* in London²⁴⁸, the largest food-processing companies in the world do not seem to take WHO's recommendations seriously:

- 40% (10 out of 25) of the companies reported having taken measures to reduce salt in their food products;
- 20% (5 out of 25) of the companies reported having taken measures to reduce sugar in their food products;
- 16% (4 out of 25) of the companies reported having taken measures to reduce fat in their food products;
- 32% (8 out of 25) of the companies reported having taken measures to reduce trans fat in their food products;
- 2 companies reported having taken measures to reduce the size of their portions;
- 44% (11 out of 25) of the companies made a reference to health in their social responsibility statements;
- 24% (6 out of 25) of the companies stated having a person responsible for health issues in their management;
- 16% (4 out of 25) of the companies had a policy concerning advertising and sponsorships;
- 24% (6 out of 25) of the companies had a policy dealing specifically with advertising intended for children.

Moreover, the report states that the total transactions of the smallest company evaluated are worth five times WHO's annual budget, and thus that the companies' poor results should not be excused by a lack of human or financial resources. The study also reports that the companies that best met WHO's recommendations are those that were most often criticized in the media; according to Mr. Tim Lang, one of the study's authors, this is worrisome, considering that those criticisms are only aimed at some of the large companies and are not addressed to all sectors of the food-processing industry.

In the same vein, the *Ordre professionnel des diététistes du Québec* (OPDQ), which annually presents its "Golden Apple" and "Rotten Apple" awards to businesses in the food sector whose advertising stands out by its positive or negative impact on healthy eating habits, confirms the food-processing companies' preoccupation with negative publicity. After receiving the "Rotten Apple" award in 2006, a well-known food company invited the OPDQ to meet with some of its representatives to discuss their point of view²⁴⁹.

²⁴⁸ City University, London. Citynews. *World's biggest 25 food companies not taking health seriously enough*. Online. <<http://www.city.ac.uk/press/The%20Food%20Industry%20Diet%20Physical%20Activity%20and%20Health.pdf>>. Consulted May 10, 2006.

²⁴⁹ Union des consommateurs served on the jury in the 2006 "Golden Apple" and "Rotten Apple" awards contest and received a letter addressed to the OPDQ president from a well-known food company, expressing disappointment and surprise after receiving the "Rotten Apple" award. In this letter, the targeted company proposed "strengthening its relationship and communication with Quebec dietitians".

5. REGULATION OF ADVERTISING INTENDED FOR CHILDREN

The regulation of marketing practices aimed at children varies by country. In an extensive report on the global regulatory environment for marketing food to children, WHO reported that three main types of regulation should be defined at the outset²⁵⁰:

- a. *Statutory regulations*: “Those enshrined in laws or statutes, or rules designed to fill in the details of the broad concepts mandated by legislation.” “All regulate the form, content and/or extent of marketing practices”;
- b. *Guidelines and government standards*: They “have the same purpose as statutory regulations, but are not enshrined in, or mandated by, law”;
- c. *Self-regulations*: They are “put into place by a self-regulatory system whereby industry actively participates in, and is responsible for, its own regulation. Led, funded and administered by the industries concerned, self-regulation normally consists of two basic elements. The first, a code of practice — a set of ethically-based guidelines — governing the content of marketing campaigns, and the second, a process for the establishment, review and application of the code of practice.” “Self-regulation may be mandated by government framework legislation, but can also exist completely independently of government regulation”.

Many countries do not have a regulatory framework that addresses marketing or advertising intended specifically for children and/or food products. The marketing of food to children can be subject to various regulatory combinations:

- Statutory and self-regulatory covering all age groups and products;
- Statutory and self-regulatory with guidelines specifically regarding children;
- Statutory regulations specifically regarding children;
- Statutory and self-regulatory with guidelines specifically for marketing food products²⁵¹.

²⁵⁰ World Health Organization (WHO). Hawkes, C. *Marketing Food to Children: the Global Regulatory Environment*. Geneva. 2004. Online. <<http://whqlibdoc.who.int/publications/2004/9241591579.pdf>>. Consulted March 20, 2006.

²⁵¹ World Health Organization (WHO). Hawkes, C. *Marketing Food to Children: the Global Regulatory Environment*. Geneva. 2004. Online. <<http://whqlibdoc.who.int/publications/2004/9241591579.pdf>>. Consulted March 20, 2006.

5.1. Canada

In Canada, the framework for advertising intended for children under 12 is voluntary and is inspired by the *Broadcast Code for Advertising to Children*²⁵² drawn up in 1971 by the Canadian Association of Broadcasters (CAB) and by the Advertising Standards of Canada (ASC), a non-profit industry organization, responsible since 1972 for approving advertising intended for children²⁵³.

Since 1974, the Canadian Radio-television and Telecommunications Commission (CRTC) has made it mandatory for television stations to observe this code, revised in 1993, as a condition for a broadcast licence²⁵⁴.

The *Broadcast Code for Advertising to Children* is about, among other things, specific items such as the influence on children's subconscious, the number, length and frequency of advertisements, the use of celebrities known to children, the truthfulness of product advertising claims, the social values fostered, etc. This code, administered by the ASC, is not specifically intended for food products, but for all products and services. It complements the general principles of ethical advertising principles set forth in the *Canadian Code of Advertising Standards* (CCAS), which governs the media as a whole and outlines the procedure for lodging a complaint about advertising intended for children or minors (articles 12 and 13).

Clause 12 of the CCAS states that "Advertising that is intended for children should not exploit their credulity, lack of experience or their sense of loyalty, and must not present information or illustrations that might result in their physical, emotional or moral harm." Clause 13 states that "Products prohibited from sale to minors must not be advertised in such a way as to appeal particularly to persons under legal age..."²⁵⁵ The Code thus takes into consideration the particular vulnerability of children to advertising, while factoring in their cognitive and intellectual development and their capacity to understand the advertisements' aims; those abilities are not acquired until adolescence.

The *Broadcast Code for Advertising to Children* and the *Canadian Code of Advertising Standards* are grafted onto the laws, regulations and guidelines (federal and provincial) that govern advertising, notably those published by the Canadian Radio-television and Telecommunications Commission (CRTC), Industry Canada, Agriculture and Agri-Food Canada and Health Canada²⁵⁶.

The complaints of consumers, interest groups and industry with respect to advertising are handled jointly by Advertising Standards Canada, which publishes a quarterly report of

²⁵² Advertising Standards Canada (ASC). *Broadcast Code for Advertising to Children*. Online. <<http://www.adstandards.com/en/clearance/clearanceAreas/broadcastCodeForAdvertisingToChildren.asp>>. Consulted March 20, 2006.

²⁵³ Advertising Standards Canada (ASC). About ASC Clearance Services. Online. <<http://www.adstandards.com/en/Clearance/index.asp>>. Consulted March 21, 2006.

²⁵⁴ Canadian Radio-television and Telecommunications Commission (CRTC). Public notice. 30 June 1993. Online. <<http://www.crtc.gc.ca/archive/eng/notices/1993/pb93-99.htm>>. Consulted March 21, 2006.

²⁵⁵ Canadian Radio-television and Telecommunications Commission (CRTC). Public notice. 30 June 1993. Online. <<http://www.adstandards.com/en/standards/canCodeOfAdStandards.asp>>. Consulted March 21, 2006.

²⁵⁶ For example, the CRTC's Broadcast Act, which governs the nature, frequency and duration of advertisements; the Competition Act, which contains provisions related to misleading advertising practices and false or misleading information; the advertising guidelines in the 2003 Guide to Food Labelling and Advertising, issued by the Canadian Food Inspection Agency of Agriculture and Agri-Food Canada, in accordance with Health Canada's Food and Drugs Act and Consumer Packaging and Labelling Act.

complaints against advertising, and by the national and regional Consumer Response Councils²⁵⁷. The publication reports on advertisements complained about and deemed to violate the *Canadian Code of Advertising Standards*, and presents information on consumer concerns about advertising and on the Councils' interpretation and application of the *Canadian Code of Advertising Standards*.

The Canadian Broadcast Standards Council (CBSC), an independent, non-profit organization established by the CAB, is the organization responsible for managing and handling the complaints of listeners and viewers about the content of radio and television shows²⁵⁸.

An advertiser or broadcaster found guilty of violating one or more provisions of the *Broadcast Code for Advertising to Children* or the *Canadian Code of Advertising Standards* must, if it wants to continue airing advertising or the program, make the necessary changes to comply with the Code. Self-regulation does not authorize the organizations responsible for managing and handling complaints to sanction wrongdoers other than by issuing a notice and a demand for change. Ultimately, should the provisions of the abovementioned codes still not be observed after a certain number of notices, a delinquent advertiser or broadcaster may have its broadcast licence revoked by the CRTC.

5.2. In Quebec

The situation differs in the province of Quebec, where, in addition to the application of Canadian standards, advertising intended for children under 13 has been forbidden since 1980 by virtue of the *Consumer Protection Act*²⁵⁹.

Under Article 248 of the CPA and subject to what is provided for in the regulations, *in Quebec No one can advertise*²⁶⁰ *for business purposes to persons under 13*. Article 249 of this Act allows the authorities to determine whether an advertisement is intended for children under 13, by providing the facts relevant to an analysis of advertisements' context, notably:

- The nature and destination of the product advertised;
- The manner in which the advertisement is presented;
- The time and place it appears.

As far as the nature of the advertised product is concerned, three possibilities exist: a product marketed exclusively to children under 13 and presenting an attraction for them; a product marketed non-exclusively to children under 13 but still presenting an attraction for them, or a marketed product presenting no attraction for children under 13. This distinction is decisive as it can allow the broadcast of advertisements for products of no interest to children – cars for example – at a time when the audience is mainly comprised of children, without breaking the law. Advertisements promoting products presenting a definite interest to children – certain sweets or cakes for example – may also be legally broadcast on condition that they air at a time

²⁵⁷ These councils, which number five in the entire country, are independent organizations that include representatives from industry, advertising and volunteers from the public.

²⁵⁸ The Canadian Broadcast Standards Council (CBSC). *The Special Role of the CBSC*. Online. <<http://www.cbsc.ca/english/about/role.php>>. Consulted March 21, 2006.

²⁵⁹ Canadian Legal Information Institute. Consumer Protection Act, R.S.Q. c. P-40.1. Online. <<http://www.canlii.org/qc/laws/sta/p-40.1/20060213/whole.html>>. Consulted March 21, 2006.

²⁶⁰ According to CPA sections 1h) and 252, "advertisement means a message designed to promote goods, services or an organization in Québec", by whatever means. The Act is thus neutral as to which media are used.

when all age groups are present or that they are displayed in a place frequented by all age groups.

A chart was drafted in 1980 to identify the time slots during the day when children 2-11 were most likely to watch television (Table 3)²⁶¹.

Table 3

Time slots during which children 2-11 are most likely to watch television²⁶²

Monday to Friday	Saturday	Sunday
7-8:30 am 9-10:30 am 11-12:30 pm 4-6 pm	7-1 pm 2-4:30 pm 5-6 pm	7-10 am 5-5:30 pm 6:30-7 pm

Soon after the ban on advertising intended for children went into effect, the toy company Irwin Toys, in an appeal filed in November 1980 under Article 1 of the *Canadian Charter of Rights and Freedoms* and Article 9.1 of the *Quebec Charter of Human Rights and Freedoms*, tried to invalidate Articles 248 and 249 of the Consumer Protection Act. However, the company's attempt failed when the Supreme Court of Canada declared in 1989:

“Television advertising intended for children is inherently manipulative. It aims at promoting products by convincing those who are always ready to believe anything... It is reasonable to broaden the scope of this conclusion in two ways. First, it can be applied to advertising in other media... Second, it can be applied to advertising intended for older children (7-13)... a certain number of studies... arrive at slightly different conclusions as to what age children acquire sufficient cognitive capacity to recognize the persuasive nature of advertising and to weigh its relative value... somewhere between age seven and adolescence, children become as skilled as adults in understanding advertisements and reacting to them”²⁶³

The Regulation respecting the Application of the Consumer Protection Act (R.S.Q., 1981, c. P-40.1, r.1) provides for some exemptions. Advertisements are authorized if they meet the requirements provided for in the Regulation (no superlatives are allowed in describing the characteristics, nature, performance or durability of a product or service, or when referring to the price). Thus authorized are advertisements contained in a magazine intended for children (Article 88), advertisements whose object is to announce a show (Article 89) and advertising comprised of a display window, packaging, a container or label (Article 90)²⁶⁴.

²⁶¹ Office de la protection du consommateur. Québec. *Guide d'application des articles 248 et 249 (publicité au moins de 13 ans)*. November 1996, p.9.

²⁶² According to the average of surveys conducted by the *Bureau of Broadcast Measurement* (BBM) in fall 1979 and spring 1980.

²⁶³ Lexum. *Irwin Toy Ltd. v. Québec (Attorney General)*. Online. <<http://scc.lexum.umontreal.ca/en/1989/1989rcs1-927/1989rcs1-927.html>>. Consulted March 21, 2006.

²⁶⁴ Canadian Legal Information Institute. *Application of the Consumer Protection Act, Regulation respecting the, R.S.Q. c. P-40.1, r.1*. Online. <<http://www.ijican.org/qc/laws/regu/p-40.1r.1/20060213/whole.html>>. Consulted March 21, 2006.

As for advertising intended for children, the provisions of the CPA only apply, for the airing of advertisements, to the signals coming from within Quebec's borders and aired in Quebec, thus sparing, for example, all signals emanating from the rest of Canada, the United States or elsewhere and retransmitted by cable distributors.

In targeting only commercial advertising, the CPA does not ban educational advertising, which must meet certain well-defined standards to be considered as such. Among other things, educational advertising must tend toward the child's education and development; if a product appears in the advertisement, it must not bear a trademark; the identity of the sponsor must be presented soberly, i.e., without the use of a logo or an animated signature; finally, the advertising must avoid mentioning specific products and observe the requirements of Article 91 of the Regulation.

The *Office de la protection du consommateur* (OPC) is the government watchdog responsible for applying the *Consumer Protection Act*. It receives and handles consumer complaints. The Office only received one complaint related to advertising intended for children during 2005. An accounting of convictions is available in the organization's annual reports.

The *Education Act*, adopted by the National Assembly in 1997, provides a certain framework for school advertising, without regard for the age of students. This Act allows every school administration to solicit and receive financial contributions in support of school activities, but only when they are free of conditions incompatible with the school's mission²⁶⁵, particularly conditions related to any form of commercial solicitation²⁶⁶.

5.3. In the United States

In 1974, the *Federal Communications Commission* (FCC), an independent government agency responsible for granting licences and regulating of radio and television networks in the United States, implemented limits on the time devoted to commercial advertising during television programs for children. Those restrictions, still in effect today, authorize a maximum of 10.5 minutes of advertising per broadcasting hour on weekdays and 12 minutes of advertising per broadcasting hour on Saturdays and Sundays²⁶⁷.

The *Federal Trade Commission* (FTC) is the agency in charge of ensuring consumer protection through a variety of laws, particularly the Advertising Act, which contains provisions for regulating commercial advertising in all media including the Internet, as well as advertising intended for children. This Act stipulates that advertising must be truthful and must not make inaccurate or false representations or cause harm to consumers²⁶⁸.

As far as advertising specifically intended for children, the Advertising Act forbids the broadcasting of 1-900 service advertising billed immediately before, during or immediately after

²⁶⁵ Under section 36 of the Education Act, "In keeping with the principle of equality of opportunity, the mission of a school is to impart knowledge to students, foster their social development and give them qualifications, while enabling them to undertake and achieve success in a course of study."

²⁶⁶ Canadian Legal Information Institute. *Education Act*, R.S.Q. c. I-13.3. Online. <<http://www.canlii.org/qc/laws/sta/i-13.3/20060213/whole.html>>. Consulted March 21, 2006.

²⁶⁷ Center for Science in the Public Interest (CSPI). *Pestering parents: How food companies market obesity to children*. Washington. November 2003.

²⁶⁸ Federal Trade Commission. *Frequently Asked Advertising Questions: A Guide for Small Business*. Online. <<http://www.ftc.gov/bcp/online/pubs/buspubs/ad-facs.htm>>. Consulted May 9, 2006.

a radio or television show when more than 50% of the audience is comprised of children under 12²⁶⁹. Sanctions applied to those who contravene this law range from withdrawal of an unacceptable advertisement to fines that run into the millions of dollars, while somewhere in mid-range is a partial or total refund to all consumers who bought the falsely advertised product.

The other restrictions regarding advertising intended for children are voluntarily applied by the industry, originating from the guidelines drafted by the *Children's Advertising Review Unit* (CARU)²⁷⁰, a consultative committee from the industrial and advertising sectors. CARU, a branch of the *Council of Better Business Bureaus* (CBBB), was founded in 1974 by the *National Advertising Review Council* to promote responsible marketing and respond to parental concerns²⁷¹.

In January 2001, CARU launched its self-regulatory program for the protection of children's privacy, *Kids Privacy Safe Harbour*, the first of its kind to win approval by the FTC's *Children's Online Privacy Protection Act*, in effect since April 2000, intended to protect the private life of children using the Internet. This program provides for clear and complete identification of the website operator wanting to obtain user information; for disclosure of information obtained from the young (name, address, telephone number, etc.), the way this information is obtained (directly or indirectly, by a "cookie", for example), the anticipated use of the information (disclosure to a third party or not); for obtaining parental consent for the disclosure of information; for limits on gathering, using and disclosing information collected from the young, etc.

More recently, in 2003, the FTC amended its regulations to introduce, in the *Children's Online Privacy Protection Act*, measures aimed at obtaining parental consent *before* the collection, use or disclosure of information on children. This measure has been on the books since March 15, 2006²⁷².

²⁶⁹ Advertising Law Resources for Advertisers & Consumers. *Advertising to children*. <<http://www.lawpublish.com/ftc-child900.html>>. Consulted May 9, 2006.

²⁷⁰ Children's Advertising Review Unit (CARU). *Self-Regulatory Guidelines for Children's Advertising* Online. <<http://www.caru.org/guidelines/index.asp>>. Consulted March 22, 2006.

²⁷¹ Children's Advertising Review Unit (CARU). *About the Children's Advertising Review Unit (CARU)*. Online. <<http://www.caru.org/about/index.asp>>. Consulted March 22, 2006.

²⁷² Federal Trade Commission (FTC). Press release. 8 March 2006. *FTC Retains Children's Online Privacy Protection (COPPA) Rule Without Changes*. Online. <<http://www.ftc.gov/os/2006/03/P054505COPPARuleRetention.pdf>>. Consulted March 22, 2006.

5.4. The European Union

Since 1989, television broadcasting in the European Union has been subject to legislative, regulatory and administrative provisions. Although no specific law regulating advertising intended for children has been adopted yet, Article 16 of Council of the European Union Directive 89/552/EEC, "Television without Frontiers" (TVWF), recognizes that "television advertising shall not cause moral or physical detriment (...) by exploiting their inexperience or credulity"²⁷³. Article 22 of this directive specifies that Member States must take necessary measures to ensure that television broadcasts "do not include programmes which might seriously impair the physical, mental or moral development of minors", especially shows that include scenes of pornography or gratuitous violence.

The TVWF directive was amended in 1997, and some of the changes concern the protection of minors. Programs that may prove harmful to minors are forbidden, but those that are aired during time slots when minors normally don't watch or listen "must be preceded by an acoustic warning or be clearly identified, throughout their duration, by a visual symbol". A new article specifies that television programs "must not contain incitement to hatred on grounds of race, sex, religion or nationality"²⁷⁴.

Under the provisions of the Council of the European Union's TVWF directive, each Member State is free to draft its own regulatory or self-regulatory framework, on condition that the rules be more detailed or stricter than those provided for in the TVWF directive.

A second legislative framework has also been in effect in the European Union since 1993: the Convention on Transfrontier Television of the European Council. Article 11 of the Convention stipulates that advertising intended for children or soliciting children must avoid harming their interests and must take into account their particular sensitivity²⁷⁵.

Table 4 sketches a portrait of the current regulatory environment of various forms of advertising intended for children in the countries making up the European Union.

²⁷³ Europa. *Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by Law, Regulation or Administrative Action in Member States concerning the pursuit of television broadcasting activities*. Online. <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31989L0552:EN:HTML>>. Consulted March 22, 2006.

²⁷⁴ Europa. *The new "Television without Frontiers Directive"*. Online. <<http://ics.leeds.ac.uk/papers/vp01.cfm?outfit=pmt&folder=141&paper=405>>. Consulted March 23, 2006.

²⁷⁵ The Federal Authorities of the Swiss Federation. *European Convention on Transfrontier Television*. Online. <<http://www.suche.admin.ch/htbin/avde.cgi?&kl2=en&q=transfrontier%20television#resultStart>>. Consulted March 22, 2006.

Table 4
Regulatory Framework for Various Forms of Advertising
in European Union Countries²⁷⁶

Member State	Television	School	The Internet	Food
Germany	SR, S	SR, F/E ^a		SR
Austria	SR, S	SR, E	S	
Belgium	SR, S	SR, F ^b , E		SR, S
Cyprus				
Denmark	SR, S	S	SR	SR
Spain	SR, S		S	S
Estonia	SR			
Finland	SR, S	SR, E	SR	SR
France	SR, S	SR, E	S	S
Greece	SR, S	SR, E		
Hungary	SR, S	S		
Ireland	SR, S	S		S
Italy	SR, S	S, E	S	S
Latvia				
Lithuania	SR, S			
Luxemburg	SR, S	SR, E		
Malta				
Netherlands	SR, S	S		S
Poland	SR, S			
Portugal	SR, S	SR, F		
Czech Republic	SR, S			
United Kingdom	SR, S	S		
Slovakia	SR, S			
Slovenia	SR, S			
Sweden	SR, S, F(12)	S, E	SR	

Legend:
SR = Statutory Regulation
S = Self-Regulation (guidelines)
F (12) = Forbidden to Those under 12
F = Forbidden
E = Forbidden except for educational purposes. The blank spaces mean that no regulatory measure could be identified. ^a Varies by state; ^b French community only.

As for regulation of various forms of advertising in European schools, only three of the 15 countries for which information was collected have adopted a statutory regulation banning

²⁷⁶ Information provided by multiple sources, notably the: World Health Organization (WHO). Hawkes, C. *Marketing Food to Children: the Global Regulatory Environment*. Geneva. 2004. Online. <<http://whqlibdoc.who.int/publications/2004/9241591579.pdf>>. Consulted March 20, 2006; Center for Science in the Public Interest (CSPI). *Pestering parents: How food companies market obesity to children*. Washington. November 2003; Bienvenue au Sénat. *Étude de législation comparée n° 147 - June 2005 - La lutte contre l'obésité enfantine*. Online. <<http://www.senat.fr/lc/lc147/lc147.html>>. Consulted March 19, 2006; European Heart Network (EHN). *The marketing of unhealthy food to children in Europe*. Belgium. 2005; Consumers international (CI). Europa. Health and consumer protection – Directorate General. *Summary of the study on commercial practices in schools conducted at the request of the European Commission*. Online. <http://europa.eu.int/comm/dgs/health_consumer/library/surveys/sur03_en.html>. Consulted 10 May 2006.

advertising completely from the schools. Almost half of those 15 countries authorize advertising in schools for educational purposes only or when it doesn't interfere with the school's mission.

It should be mentioned that Sweden and Norway – Norway is not a part of the European Union – forbid all types of advertising intended for children under 12²⁷⁷. They are, along with Quebec, the only states in the world to have this kind of regulation.

European Union countries that rely on self-regulation to restrict advertising intended for children may also adopt the guiding principles of the International Chamber of Commerce (ICC) for marketing directed at children and adolescents. Those principles comprise provisions designed to prevent advertising from exploiting the inexperience and credulity of children and adolescents, and recommend that advertising not mislead children and young people as to the true size, value, nature, durability and performance of the advertised product²⁷⁸

²⁷⁷ World Health Organization (WHO). Hawkes, C. *Marketing Food to Children: the Global Regulatory Environment*. Geneva. 2004. Online. <<http://whqlibdoc.who.int/publications/2004/9241591579.pdf>>. Consulted March 20, 2006.

²⁷⁸ International Chamber of Commerce (ICC). *Compendium of ICC Rules on Children and Young People and Marketing*. Online. <<http://www.iccwbo.org/id928/index.html>>. Consulted March 23, 2006.

6. COMPARATIVE STUDY OF CERTAIN FOOD PRODUCTS FROM NUTRITIONAL AND MARKETING STANDPOINTS

6.1. Objective

It seemed important that we attempt to verify in the field the trends noted above. Although at the beginning we considered proceeding with a critical analysis using a sample of food products taken from television advertisements, the publication of an important Quebec study on the subject in December 2005²⁷⁹ (see Section 2.2) persuaded us to refocus our work. The exemptions to the ban on advertising intended for children provided for in the Consumer Protection Act, which allows advertising on the packaging of food products – the latter are not considered products exclusively intended for children – prompted us to study more closely the link between the number of marketing strategies used in packaging food products and their nutritional content. To food packaging strategies we added another marketing strategy used in grocery stores, the height of food shelves.

We designed the project in two phases:

Phase 1: an exploratory study intended to test on a limited sample the tools and methodology chosen; and

Phase 2: a more-detailed analysis of a larger sample.

6.2. Assumption and Methodology

The starting assumption was that there could be a link between the number of marketing strategies used on packaging²⁸⁰ of food sold in supermarkets and the nutritional composition of those foods. We anticipated that the most advertised foods, or those that have the greatest number of marketing strategies on their packaging, would be those with the highest fat, sugar and salt content, as is the case for the majority of foods that are the subject of television advertising.

To verify this assumption, two analytic charts were developed: an analytic chart of food products as seen from a nutritional standpoint, and an analytic chart of food products as seen from a marketing standpoint²⁸¹.

For Phase 1, food from the four food groups were selected, in addition to three categories of food popular among children but not appearing in Canada's Food Guide²⁸², that is, juices and beverages, cookies and snacks. Twelve items were selected for each of seven categories, for a total of 84 items.

²⁷⁹ Lebel, E. et al. *Publicité télévisée sur les aliments visant les enfants québécois*. Communications. Vol. 24, No. 1 (December 2005), p. 6585.

²⁸⁰ See Annex C.

²⁸¹ See Annex A. It should be noted that the nutritional and health claims considered in this study are not limited to those recognized and allowed by Health Canada. For additional examples, see Annex C.

²⁸² Health Canada (HC). *Canada's Food Guide*. <<http://www.hc-sc.gc.ca/fn-an/food-guide-aliment/index-eng.php>>. Consulted March 23, 2006.

For each item, the evaluators noted the relevant nutritional information and checked off, in the appropriate analytic charts, the marketing strategy or strategies used on the entire packaging (front, back, sides, top, bottom)²⁸³.

Beyond that, for each of the strategies used for the same item, for example, a special offer, the evaluators wrote down, in the greatest possible detail, the characteristics of each strategy (what the details were for this special offer), basing this information on the examples given²⁸⁴.

For Phase 2, we decided to target just one type of food: breakfast cereals. Although adults also eat cereals, these are exceptionally popular among children. We decided this time to dwell only on the marketing used on the packaging surface, i.e., the way the cereal was presented to the consumer, and to note the height of the shelf on which the cereal box was stocked. (It interested us to verify shelf height to see whether the cereals located at hand and eye level of children comprised a particular nutritional profile.) To resolve sampling issues, all the cereal boxes in the supermarket were analyzed, including those located in the organic section. In this way, we were able to avoid selection bias and obtain the largest possible sample. Just one evaluator carried out the data collection for this phase, which took place in two sequences – April 28 May 2, 2006 – in a supermarket on *Plateau Mont-Royal* in Montreal.

6.3. Statistics

Variance analysis tests (post-hoc unilateral Anova Tukey) were performed to determine if there were differences between each food group in the number of strategies used on the food packaging of each of these groups (Phase 1) and to determine the differences that may have existed concerning the nutritional content of the cereals, according to the number of marketing strategies used (Phase 2). Covariance analysis tests (Ancova) were carried out for the same reasons (Phase 2) but taking into account certain factors this time, such as the size of the portion indicated by the manufacturer or the fibre content of the cereal (Phase 2). Tests were performed to determine whether differences existed, either at a nutritional or marketing level, between the cereals coming from the regular section and those coming from the organic produce section (Phase 2).

6.4. Results

Results from Phase 1

The results of the exploratory study (Phase 1) did not allow us to support our starting assumption. We were unable to detect any association between the number of marketing strategies used in the food packaging of our sample (n = 84) and their nutritional composition, all groups considered.

Results from Phase 2

The second phase of our analysis produced more interesting results. A total of 170 different cereal boxes were analyzed; 107 were from the regular section and 63 were from the organic section of the supermarket.

²⁸³ See Annex C.

²⁸⁴ See Annex B.

For each of the cereal boxes, the number of marketing strategies²⁸⁵ used on the outside of the packaging varied from zero – a cereal box containing no marketing strategy – to seven – a cereal box containing seven marketing strategies (Graph 1).

Of the marketing strategies used, the most highly valued were undoubtedly nutritional claims, used on 89.4% of cereal box packaging, followed by health claims or logos referring to health (42.9%), the use of positive images or amusing illustrations (28.2%) (Graph 2). 76% of cereal box packaging displayed promotional information in an additional way²⁸⁶.

By taking into account the size of the portions and excluding the cereal box that displayed no marketing strategy as well as the cereal box that displayed seven marketing strategies, the most marketed cereals, that is, those that had the greatest number of marketing strategies on their packaging, are higher in sugar (Graphs 3 and 4) and sodium (Graph 5). The cereals in the regular section were also more heavily marketed than those from the organic section (Graph 6).

The cereal section in the supermarket in which our study was carried out comprised five levels of shelving: the lowest (level 1), was largely stocked by giant size cereal boxes; level two was located at waist height for a four- or five-year-old of medium height²⁸⁷ (about 50-60 centimetres from the floor); level three was located at eye level for the same children (about 90-100 centimetres from the floor); level four was located at shoulder height for an adult of medium height (about 140-150 centimetres from the floor), while level five was located on top, above the head of an adult of medium height (about 180-190 centimetres from the floor).

The total number of cereal boxes on the display shelves, from bottom to top (from level 1 to level 5) was 24, 34, 33, 33, 46, respectively. The cereal boxes located at children's eye level (level 3) were more heavily marketed (Graph 7) and contained more carbohydrates (Graph 8) than those located on top (Level 5), even after taking into consideration the cereals' portion size and fibre content. The cereals located on the highest shelving (Level 5) contained more lipids than those of other levels (Graph 9) and more trans fats ($p < 0.05$) than the cereals of levels 2, 3 and 4 (results not graphically shown), again taking portion size into consideration.

It is interesting to note that after factoring in portion size, cereals from the organic section contained less sodium, less carbohydrates, less sugar, more fibre ($p < 0.01$) and more lipids ($p < 0.01$) than cereals from the regular section of the supermarket (Table 5).

²⁸⁵ See Annex C.

²⁸⁶ See Annex C.

²⁸⁷ The medium height of a four- to five-year-old child was determined from height charts of the *National Center for Chronic Disease Prevention and Health Promotion*. Online.
<<http://www.cdc.gov/nchs/about/major/nhanes/growthcharts/charts.htm>>. Consulted June 13, 2006.

Table 5

**Differences in the nutritional composition
between cereals found in the regular section and
those found in the organic section of the supermarket**

Nutrients ^a	Supermarket Sections		Statistical Strength
	Regular ^b	Organic ^c	
Lipids (g)	1.5	2.4	P < 0.01
Sodium (mg)	175.1	102.3	P < 0.001
Carbohydrates (g)	31.4	29.2	P < 0.001
Fibre (g)	3.1	4.1	P < 0.01
Sugar (g)	10.1	6.7	P < 0.001
^a			
^b			

These results partially confirm our starting assumption that the most heavily marketed foods in the supermarket, or those whose packaging uses the greatest number of marketing strategies, are also the richest in sodium, sugar and fat. Indeed, the most strongly marketed cereals are more often located at children's eye level and are rich in sodium and sugar (this last result is not of statistical significance, however) but not in fat. The analysis of the other variable considered as a marketing factor, the height of cereal box shelves, reveals that cereals located at children's eye level contain more carbohydrates – without this being attributable to high fibre content – but not more fat.

6.5. Discussion of the Results

This exploratory study of the link between the nutritional quality of certain food products and the advertising on their packaging is, to our knowledge, the first initiative of its kind in Quebec. The study's initial objective was to verify whether a connection could be made between the nutritional quality of food products and the number of marketing strategies used, mainly on their packaging, to stimulate sales. We focused on the number of strategies, i.e., on the quantitative aspect, without distinguishing between the strategies. The compilation and analysis of this type of data may make it possible to measure certain *types* of marketing strategies – the qualitative aspect – on the nutritional content of food products. For example, it might be interesting to classify the types of marketing strategy promoting a product (collectibles and toys; contests and special offers that could attract children; celebrities and mascots; health and nutritional claims) and see whether there is a link between certain types of strategies and the nutritional content of the food products. However, this was not the goal of our research.

Although it is interesting to note the particular trends raised by the results of our study, these should nonetheless be interpreted with caution and not used to arrive at conclusions of a clinical scope.

Several variables might be factored in and muddle the results of our analysis, as these results follow from real-time field work and that the results of such a study may vary over time and space, i.e., depending on the periods of the month, the supermarkets, the municipalities, etc. In any case, it would appear relevant to further develop this field of research to validate the results and measure the variabilities to see whether these trends affect other food categories.

7. CONCLUSION

As shown by a great deal of research, poor diet leads to many chronic health problems and is in large part responsible for the increase in obesity in all corners of the world. Advertising is no stranger to this phenomenon, and experts and specialists recognize that the marketing of foods rich in fat, salt or sugar, particularly when children are exposed to it, can cause them physical, emotional or moral harm by exploiting their inexperience and credulity. Television, the Internet, academic and athletic environments, among others, are choice targets for the food industry. Advertising successfully uses a vast array of tools – including the hiring of child psychologists – and marketing strategies to sell more products and create loyalty among their youngest customers. While the industry spends billions of dollars annually to advertise its products, mainly rich in fat, salt or sugar, the child develops consumer habits that risk costing him dearly in terms of health.

WHO, which recognizes that advertising of unhealthy foods intended for children is a probable cause of the increasing prevalence of overweight and obesity, calls on its Member States, in its Global Strategy on Diet, Physical Activity and Health, to adopt nutrition policies, particularly in schools, that limit the availability of products rich in salt, sugar or fat, and to draft appropriate multi-sector approaches in order to fight the impact of advertisements that encourage unhealthy eating habits. Several countries have adopted strategies regarding diet, physical activity and healthy lifestyles, but few countries tackle the issue of junk food advertising intended for children. Initiatives to eliminate these types of food from the school environment are increasingly numerous; but, with few exceptions, the vast majority of countries do not have national food policies to bring an end to junk food, whereas the food-processing industry's advertisements and sponsorships often remain ubiquitous in the school environment, where the effects of inadequate financing are increasingly felt.

WHO's strategy also challenges civil society and the private sector to contribute to attaining its targets. While many civil society and nongovernmental organizations, by means of publications, reports, public campaigns and surveys, lobby governments to follow the WHO guidelines and adopt restrictive measures aimed at junk food advertising intended for children, the industry remains largely insensitive to these calls, particularly concerning the promotion and marketing of food rich in saturated fats, trans fatty acids, sugar and salt, especially to children. For now, regulations restricting marketing practices aimed at children are rather lax and are confined, in several countries, to self-regulation. Several reports demonstrate that such measures do not adequately protect children from junk food marketing.

Given all these observations and for reasons of health and economics, it is vital that all levels of government intervene to regulate advertising intended for children, if the food-processing industry cannot be persuaded to act responsibly. The consequences of a bad diet for those who will inherit our society could be devastating and irreversible. It is long overdue to act in a firm and thoughtful manner to attempt to end this epidemic.

8. RECOMMENDATIONS

- Whereas there exists no precise definition of junk food or limits to define it;
- Whereas the experts agree that foods rich in sugar, fat or salt are considered junk food;
- Whereas a strict definition of junk food is necessary to effectively target intervention strategies;
- Whereas in British Columbia Ministries of Health and Education have developed and established a food and drink classification system in schools, including a category of food not recommended and a scale of values based on nutritional quality.

Union des consommateurs recommends that:

- The federal and provincial governments cooperate in drawing up a national food classification system that would define the food categories not recommended;
- An Expert Committee of independent experts be formed to develop criteria necessary for establishing a national food classification system based on nutritional quality;
- The Committee include representatives from the public health sector, academia, industry and consumer protection groups;
- Governments take care that sufficient resources be allocated to consumer representatives to ensure adequate participation.

- Whereas children do not have the cognitive skills necessary to understand the real objectives sought by the advertising that targets them;
- Whereas the standards and guidelines for advertising directed at children take into account the special vulnerability of children with regard to advertising and recommend that their inexperience and credulity not be exploited;
- Whereas the food-processing industry continues to profit from the vulnerability of children by advertising and promoting foods rich in sugar, fat or salt;
- Whereas eating habits are shaped at a very early age;
- Whereas the advertising and promotion of junk food (food rich in sugar, fat or salt) is present in the schools;
- Whereas the consumption of junk food (food rich in sugar, fat or salt) leads to serious health consequences;
- Whereas advertising of food rich in sugar, salt or fat has been identified by the World Health Organization (WHO) as a heightened risk factor for weight gain and obesity;
- Whereas initiatives to promote health eating habits and discourage poor eating habits have proven effective;
- Whereas the initiatives and amounts invested to promote a healthy diet are negligible compared to those promotion food rich in fat, sugar and salt.

Union des consommateurs recommends that provincial governments legislate to :

- Ban any and all advertising of junk food (food rich in sugar, fat or salt) intended for children under 13;
- Ban from schools all forms of sponsorship linked to junk food (food rich in sugar, fat or salt);
- Ban advertisements promoting junk food (food rich in sugar, fat or salt)
- Ban junk food (foods rich in sugar, fat or salt) from school and daycare centres;
- Compel the display, on the packaging of products rich in sugar, fat or salt, nutritional warning messages on the potential impact of junk food (foods rich in sugar, fat or salt) on health.

L'Union des consommateurs further recommends that :

- The provincial governments study the possibility and the relevance of banning junk food (food rich in sugar, fat or salt) from public institutions, particularly hospitals, summer camps and sports facilities;
- That federal and provincial governments increase their funding of activities promoting a healthy diet;
- The federal and provincial governments support initiatives to promote a healthy diet among children;
- The federal and provincial governments add healthy nutrition courses to curricula, beginning in primary school.

Whereas the consumption of junk food (food rich in sugar, fat or salt) leads to serious health consequences and a substantial economic burden;

***Union des consommateurs* recommends that federal and provincial governments:**

- Study the possibility of imposing a surtax on companies that advertise or promote junk food (food rich in sugar, fat or salt).

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ANNEX A

ANALYTICAL GRID OF FOOD PRODUCTS FROM A NUTRITIONAL STANDPOINT

Food products (description, brand, bar code)	Nutritional Information								
	Total Weight (g or ml)	Portion (g or ml)	Energy (calories/ portion)	Fats (g/ portion)	Trans (g/ portion)	Sodium (mg/ portion)	Carbohydrate (g/ portion)	Fibre (g/ portion)	Sugar (g/ portion)
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									

LEGEND

g: gram

ml: millilitre

mg: milligram

ANALYTICAL GRID OF FOOD PRODUCTS FROM A MARKETING STANDPOINT

F.P.	Marketing Strategies (several possible strategies, check here and use the other sheet (p.3) to specify the information)										
	Toy Foods	Gifts/ Promotional Items	Collectables	Contests/ Special Offers	Popular Characters	Corporate Logos /mascots	Athletes/ celebrities/ movies	Positive Image /Children's Photos	Nutrition Claims	Health Claims	Others
1.											
2.											
3.											
4.											
5.											
6.											
7.											
8.											
9.											
10.											
11.											
12.											

LEGEND

F.P.: food product

ANNEX B**Food Product # _____**

Strategy Used	Details
Toy foods	
Gifts / promotional items	
Collectables	
Contests / special offers	
Popular characters	
Corporate logos / mascots	
Athletes / celebrities / movies	
Positive image/ children's photos	
Nutrition claims	
Health claims	
Others	

Reproduce this sheet for each of the 12 food products

ANNEX C

EXAMPLES OF MARKETING STRATEGIES

Toy foods

Cheese that can be unravelled, foods in amusing shapes, colours or textures...

Gifts/promotional items

DVD, throw-away camera, books, assembly games, pedometer, food sample...

Collectables

Teletubbies figurines, sports cards, tokens, stickers, model cars...

Contests/special offers

Discount coupons for movies or meals at McDonald's, win a bicycle...

Popular characters

Winnie the Pooh, Tony the Tiger, Ronald McDonald, Shrek, SpongeBob, Sam the Parrot, Cric, Crac, Croc...

Corporate logos /mascots

Youppi, Bonhomme Carnaval, Coke, Hershey, McDonald's, Nestlé...

Athletes/celebrities/movies

José Théodore, Britney Spears, Avril Lavigne, Angeline Jolie, Les Boys, Star Wars...

Positive image/children's photos

Smiling child, sex-appeal, humour, kids having fun, family, cartoon...

Nutrition claims

Salt-free, source of fibre, whole grain, low in fat, light, □ less sugar...

Health claims/logos

Health Check, "(...) may reduce the risk of heart disease", Choose well-live well, Health Smart, Blue Menu, certification logo or Biological mention...

Others

Partnerships - sports, entertainment, tourism or corporate, children's clubs, memberships, amusing or reusable packaging, "new" recipes, "meal substitute", "no preservatives", "all natural", "sweetened with sucralose", "overall durability", "concerned with people, nature and the soul", "10% less packaging", "no chemical pesticides", etc.

ANNEXE D

Graphic 1. Allocation of the number of cereal boxes by the number of marketing strategies used on their packaging

