



How is self-regulation failing to protect our children?

The food and advertising industries have continually failed to reduce children's exposure to unhealthy food marketing, despite ample opportunity.

Why has the system failed?

1 A lot of marketing isn't covered at all by the food industry's codes, including:



sports sponsorship



packaging featuring cartoons and familiar characters



in-store promotions, competitions and giveaways

2 Marketing is only covered if it's 'directed primarily to children'. Media popular with both children and adults is unlikely to be covered, e.g. popular TV shows, sport broadcasts and social media.



3 Food companies can decide which foods are 'healthier' and can be marketed to children. We see foods including high-sugar breakfast cereals, ice creams and biscuits categorised as 'healthier' under the food industry codes.



4 The codes don't adequately protect children from digital marketing.



5 No code covers older children, with age limits of either 12 or 14 years old.



6 The food industry codes are voluntary and many companies have not signed up.



7 In practice, advertising industry codes rarely restrict marketing of unhealthy food to children: they contain rules that aren't specific and are interpreted narrowly.



8 Compliance isn't effectively enforced or independently monitored.

Companies might be required to stop showing an advertisement found to breach a code, but there are no additional penalties.

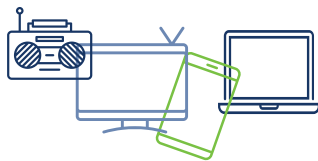


Protecting children from unhealthy food marketing: what action is needed?

The Australian Government must regulate to reduce children’s exposure to unhealthy food marketing. An effective scheme must:



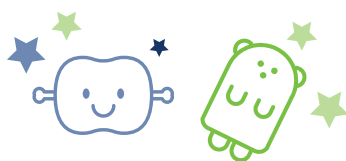
1 Apply to all food companies and fast food chains



2 Apply to all forms of advertising, marketing and promotion and all forms of media

Including television, cinema, outdoor advertising, radio, internet and print, as well as digital media such as social media, mobile applications and any new and emerging technology.

The scheme must also cover promotional strategies such as brand advertising, product packaging, in-store displays, sponsorship of children’s sport, product placement, competitions and offers of free toys and giveaways.



3 Restrict advertising that appeals to children in either its content or placement

This must include a restriction on advertisements on free-to-air television at the times when the greatest number of children are likely to be watching:

- **Weekdays** 6am to 9am & 4pm to 9pm
- **Weekends** 6am to 12pm & 4pm to 9pm.

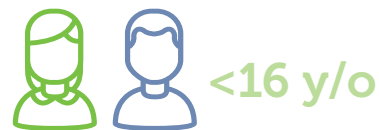
The restriction must apply to all unhealthy food advertising during these times and outside of these times to any advertisement that uses techniques that appeal to children.



4 Effectively restrict marketing in other forms of media, in particular digital marketing



5 Clearly define ‘unhealthy food’ by reference to an appropriate nutrient profiling model.



6 Apply to children up to 16 years old, as a minimum.



7 Be administered and enforced by an independent agency



8 Impose meaningful disincentives and sanctions for breach to content creators, publishers and broadcasters.

Compliance should be monitored so that it is not entirely dependent on complaints from the public to enforce the rules.