

Grid 2b: Trade body codes, guidance and best practice applicable in the UK

Code	Stated objective	Sectoral coverage	Type of marketing activity/ communication channels covered	General provisions on marketing to children?	Scheduling restrictions for food and drink marketing?	Content restrictions for food and drink marketing?	Compliance monitoring and evaluation?	Definition of 'children'?	Definition of 'marketing to children'?	Categorisation of foods and beverages?	Observations
International industry codes (marketing /advertising)											
International Chamber of Commerce Advertising and Marketing Communication Practice: Consolidated ICC Code (2006) ⁱ	<i>'To ensure special responsibility as regards marketing communication and children/ young people'</i>	All ICC members worldwide	All forms of marketing communication	Yes. Marketing communication directed to children should be clearly distinguishable to them. (Art 18)	No	Assume yes. <i>'The Code is to be applied against the background of whatever legislation may be applicable.'</i> (UK = CAP/BCAP)	Yes. Responsibility rests with relevant code enforcement agencies. (UK = ASA)	Yes As defined in national laws and regulations relevant to such communications (UK <16)	No	No	
International Chamber of Commerce ICC Framework for Responsible Food and Beverage Marketing Communication ⁱⁱ	<i>'To encourage food and beverage communicators to adhere to principles of responsible consumer communication, above and beyond compliance with laws and regulations, especially in communicating to children'</i>	All ICC members worldwide	All forms of marketing communication	Yes	No	Yes. The Code interprets the Articles of the ICC Code as it applies to food and beverage advertising	According to national self-regulation (UK = ASA) Review and evaluation expectation on marketers and self-regulatory bodies	Yes. Provisions apply to advertising to children and young people who are minors, applicable under national law.	No	No	The Code interprets the Articles of the ICC Code (above) as it applies to food and beverage advertising.
Confederation of the Food and Drink Industries of the EU CIAA Principles of Food and Beverage Product Advertising (2004)	Responsible consumer communication. Intended as a recommendation to companies and to SROs (self-regulatory organisations).	CIAA members and SROs in Europe	Advertising	Yes	No Except as part of general provisions on marketing to children: <i>'commercials or advertisements featuring characters from programs or publications primarily directed to children should not be adjacent to programs or articles in which the same personality or character appears'</i> .	Yes. General principles are interpreted in terms of marketing to children and marketing food and beverages.	Yes Enforcement through SROs	Assume yes In accordance with national regulatory and self-regulatory provisions UK = <16	No	No <i>'Food products not intended to be substitutes for meals should not be represented as such.'</i>	These principles appear to be based on (but do not exceed) common principles underlying self-regulatory advertising codes.

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The EU Pledge Programme (supported by the World Federation of Advertisers) ⁱⁱⁱ	<i>'To change food and beverage advertising on TV, print and internet to children under the age of 12 in the EU'</i>	Member companies in the EU: Burger King, Coca-Cola, Danone, Ferrero, General Mills, Kellogg's, Kraft, Mars, Nestlé, PepsiCo, Unilever	Food and beverage advertising on TV, print and internet to children under 12 in the EU In-school marketing in primary schools	No	Yes <i>'No advertising of products to children under 12, except for products which fulfil specific nutrition criteria based on accepted scientific evidence and/or applicable national and international dietary guidelines'</i> <i>'No communication related to products in primary schools, except where specifically requested by, or agreed with, the school administration for educational purposes'</i>	No	Yes Companies advised of non-compliance instances in order to take corrective action Independent monitoring programmes commissioned and completed in 2009 and 2010 Compliance monitoring independently reviewed ^{iv}	Yes Children <12	Yes <i>'Advertising to media audiences with a minimum of 50% of children under 12 years'</i>	Yes <i>'Products which fulfil specific nutrition criteria based on accepted scientific evidence and/or applicable national and international dietary guidelines'</i>	Includes marketing in primary schools, but excludes activity that is deemed for educational purposes. Secondary schools not covered
European Advertising Standards Alliance EASA Digital Marketing Communications Best Practice (2008)	To interpret the application of the ICC Code in the digital space	Self-regulatory organisations in Europe	Digital marketing communications	No	No	No	Yes Through national SROs EASA has conducted annual pan-European monitoring since 2005 on TV, print and internet advertising. Results are submitted to the EU Platform.	No	No	No	General best practice guidance, not specific to children or food
Responsible Advertising and Children (RAC) Responsible Advertising and Children Programme ^v	A blueprint for framing responsible food and beverage marketing	RAC Programme members (advertisers, agencies and media companies)	All forms of marketing communication	Yes	Yes Where included under regulatory frameworks	Yes Where included under regulatory frameworks	Yes According to national regulation and self-regulation	Yes <12 Under best practice promotion	No	No	Unclear how this goes beyond self-regulatory provisions
European Association of Communications Agencies (EACA) Ethical Guidelines for Advertising to Children (2002)	Interpretation of guidelines on advertising and children already in place	All members of EACA	All advertising	Yes Planning advertising to children; promotions and ancillary communications; interactive media; data collection; advertising in schools	Assume yes. Not specified but it is assumed that advertising abides by national/ local codes.	Assume yes. Not specified but it is assumed that advertising abides by national /local codes.	No	Yes Minor = <17 Child = <12	No	Assume yes. Not specified but it is assumed that advertising abides by national /local codes.	Interpretation of existing guidance, rather than additional provisions

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ICC/ESOMAR International Code on Market and Social Research (2007)	A framework for self-regulation	All members of ESOMAR	All market research including social and opinion research	Yes Provisions about interviewing children and parental consent	No Not applicable	No Not applicable	No	No	No	No	Specific to market research
Market Research Society Code of Conduct (2010)	To maintain professional standards and reassure the general public	All members of Market Research Society	Market, social and opinion research, business intelligence, market analysis, customer insight and consultancy	Yes Provisions about data collection, parental consent, etc.	No Not applicable	No Not applicable	Yes Complaints-based disciplinary procedures by MRS Council	Yes <18 Parental permission must be sought for <16s and is recommended for 16 and 17s.	No Not applicable	No	Specific to market research
International industry codes (food and drink)											
International Food and Beverage Alliance IFBA Global Policy on Marketing and Advertising to Children ^{vi}	Furtherance of IFBA commitment to WHO Global Strategy (2003)	Member companies in WHO Member States	Advertising in TV, print and third-party internet	No	Yes No advertising in specified media with child audiences greater than 50%	Yes	Yes Accenture undertook global 'snapshot' of compliance in sample markets (not including UK) in 2009.	Yes Children <12	Yes 'advertising to children under 12' – meaning advertising to media audiences with a majority of children under 12 years	Yes 'products which fulfil specific nutrition criteria; means those based on accepted scientific evidence and/or applicable national and international dietary guidelines to children under 12 years'	
UNESDA (2005) ^{vii} (Union of European Beverages Associations ^{viii})	'To submit [EU Platform] commitments that ... expand to areas and conditions specific to the European non-alcoholic industry'	UNESDA corporate member companies and the non-alcoholic drinks industry's trade associations in 25 countries	'All marketing communications' Specified as print media, websites, broadcast programmes, digital media and cinema No direct commercial activity in primary schools unless requested by school authority	No	Yes No marketing in media where more than 50% of the audience are children	Yes Advertising must 'avoid any direct appeal to children to persuade parents or other adults to buy products for them or to do anything else that goes expressly against the wishes or authority of a parent, guardian or educator'. Provisions restricting branding on vending machines	Yes UNESDA appointed Price Waterhouse to monitor compliance to their commitments to the EU Platform (2006). UNESDA proposed that independent third party/ies should define key performance indicators (KPIs) against the commitments. Monitoring of KPIs to be shared with the EU Platform	Yes Children <12	Yes Meaning those programmes whose viewers are mostly children (>50%)	No All drinks	The primary schools pledge includes the commitment that the companies will provide 'unbranded vending machines preferably including educational images and messages promoting balanced diets and healthy and active lifestyles'.

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National industry codes (marketing /advertising)											
ISBA (International Society of British Advertisers) Online Promotion of Food to Children (2007)	Responsible marketing <i>'To reflect a belief that brands and products can play a positive role in encouraging people to adopt a healthy lifestyle'</i>	Member companies of ISBA	Online marketing communications excluding promotional offers, display, search and sponsored links (covered by CAP Code)	No	No	Yes In line with CAP Code for advertising	Not specified	Yes <16	No	No All food and drink covered.	
Direct Marketing Association Direct Marketing Code of Practice (2003)	To promote ethical conduct and best practice	Members of Direct Marketing Association	All direct marketing communications	Yes In line with CAP provisions Provisions about data collection and cold calling	No	Yes Eating and drinking near bedtime only	Yes Annual submission of compliance report required by designated compliance officer	Yes A range according to different activities: <14, <16 and <18	No	No	
Internet Advertising Bureau Internet Advertising Bureau: Good Practice Principles for Online Behavioural Advertising (2009)	To safeguard individual privacy	Members of Internet Advertising Bureau	Online behavioural advertising (which creates audience segments based on websites visited)	Yes No member to create segments intended for the sole purpose of targeting children under 13	No	No	Yes Self-certification of compliance OBA Board to keep principles under regular review	Yes Children <13	No	No	Specific objective to safeguard privacy
National industry codes/commitments (food and drink)											
Food and Drink Federation FDF Manifesto For Food and Health (2004)^{ix}	Commitments across a range of actions including marketing to children	Signed up members of Food and Drink Federation	Advertising	Yes Advertising, and vending in schools	Not specified Proposes working with government and Ofcom	Yes Proposals for a Food Advertising to Children broadcasting code covering: diet and lifestyle; promotional offers; use of characters and celebrities; health and nutrition claims	Not specified	No	No	No	Current status of the Manifesto is not known

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National government or other codes											
<p>Working with Schools – Best Practice Principles (2008) Department for Children, Schools and Families (DCSF) and ISBA (International Society of British Advertisers)^x</p>	To provide a framework for best practice between schools and partners	Schools in England (Plus commercial companies and organisations partnering with schools)	Partnership activity between schools and external organisations including: sponsored resources (e.g. teaching packs and materials); sponsored activities (e.g. competitions and projects); and collector schemes (e.g. wrappers for books)	Yes	Yes	No	No	No	No	Yes	<p>Not applicable in Wales</p> <p>Compliance monitoring or evaluation of practices not indicated</p> <p>Requires schools to weigh the advantages and disadvantages.</p> <p>Does not disallow explicit sales messages.</p> <p>Does not disallow branding in the school environment.</p> <p>Does not require companies to seek permission before forwarding materials to schools.</p>
<p>Consumer Focus Scotland Guidelines on Commercial Sponsorship in Schools (2009) <i>Produced in association with the Scottish Government, CBI, Health Scotland, Scottish FDF, and ISBA</i></p>	To help schools and local authorities develop policies – to ensure that 'commercial sponsorship does not lead to inappropriate marketing to children and young people.'	Schools in Scotland	Commercial sponsorships including financial, in-kind (such as prizes, educational materials, software, books or posters) or promotions (including voucher or loyalty schemes).	Yes	Yes	Yes	Yes – self-certification	No	No	Yes	<p>Promotion of high fat, sugar and/or salt foods and beverages is not allowed. (Based on BCAP definition using Food Standards Agency's Nutrient Profiling Model)</p>

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Consumer Focus Scotland Guidelines on Commercial Sponsorship in the Public Sector (2008) <i>Produced in association with the Scottish Government, CBI, Health Scotland, Scottish FDF, and ISBA</i>	To help public sector bodies develop policies on commercial sponsorship arrangements that do not undermine national or local outcomes on health promotion	Public sector organisations in Scotland	Commercial sponsorships including financial, in-kind or promotions	Yes <i>'Extra care to be taken where consumers are children or young people'</i> (principle 3)	Yes <i>'Where over a quarter of those attending a sponsored event or using the service are under 18 years old then alcohol sponsorship would not be appropriate.'</i> ^{xii}	Yes <i>'Marketing communications should not condone poor nutritional habits or an unhealthy lifestyle in children under 16.'</i>	Yes – self-certification. Commercial sponsorship must be based on a written agreement and must be evaluated.	Yes <18 for alcohol promotions <16 for food and beverages	Yes <i>'Public sector organisations which are located near schools or which have school children as consumers should ensure that sponsorship arrangements complement the health promotion objectives of schools.'</i>	Yes <i>'Public sector organisations should not accept sponsorship from companies if it would lead to the advertising of products that are high in fat, saturated fat, salt or sugar.'</i>	

i <http://www.iccwbo.org/uploadedFiles/ICC/policy/marketing/Statements/330%20Final%20version%20of%20the%20Consolidated%20Code%20with%20covers.pdf>

ii ICC Document 240-46/332. 2 October 2006

iii www.eu-pledge.eu

iv EU Pledge 2009 Monitoring Report. September 2009.

v <http://www.responsible-advertising.org/default.asp>

vi <https://www.ifballiance.org/sites/default/files/IFBA%20Global%20Policy%20on%20Marketing%20and%20Advertising%20to%20Children.pdf>

vii <http://www.unesda.org/linkdocs/commitments.pdf>

viii Now the Union of European Soft Drinks Associations.

ix Information unavailable on FDF website at May 2010.

x <http://www.isba.org.uk/isba/filegrab/080118Workingwithschools-bestpracticeprinciples.pdf?ref=844>

xi www.schoolfoodtrust.org.uk/document.asp

xii Portman Group. *The Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks*. London: The Portman Group.