

Grid 3b: Government policies on food marketing to children in 59 countries – focus on non-broadcast provisions

Findings from the PolMark Project (Policies on Marketing of Food and Beverages to Children, 2010)

EU-27				
Country	Type of policy	Sector coverage	Media channels covered	Beyond broadcast and electronic media
Austria	Self-regulatory code of conduct under discussion	-	-	
Belgium	Approved self-regulation – stronger rules may be needed.	Signatories to code	Not stated	No commercial advertising inside schools (Pacte scolaire article 41)
Bulgaria	Anticipated 'legislative measures', anticipated self-regulatory body. Other legislation may be prepared.	-	-	No commercial communications in primary schools (Bulgarian Soft Drinks Association)
Cyprus	Anticipated	-	-	
Czech Republic	None	-	-	Public relations activities in schools should only take place after the approval by the school director (Czech Advertising Standards Council).
Denmark	Approved self-regulation, threat of legislation	All advertisers	TV, radio, internet, cell phones, print	The members of the Danish Brewers' Association will not actively promote soft drinks in basic schools (pupils aged 6-16 years). Soft drinks vending machines will not be placed in primary schools. Members will not promote soft drinks in primary schools. Members support the principles of no advertising in classrooms and will therefore not sponsor school books etc.
Estonia	None	-	-	

Country	Type of policy	Sector coverage	Media channels covered	Beyond broadcast and electronic media
Finland	Governmental guidelines and threat of legislation	All	All. Marketing aimed at minors should be judged on a stricter basis than other marketing, and advertising that 'generally reaches minors' can be judged on the same basis as advertising 'targeted at minors'.	<p><i>'Collector promotions and sweepstakes should not be used to market foods to children because 'If a collector's series is associated with a product, collecting the series can easily become the main thing for a child. Marketing must not cause situations in which minors pressure their parents to buy a certain product only because of the collector's items that come with it. Parents have the right to decide what the family purchases without a child's eagerness to collect being exploited in marketing of the main product. That is why collectors' series of a kind that can be acquired only by buying a product must not be associated with foodstuffs.'</i></p> <p>No lotteries or competitions where participation is through purchasing a product, and a give-away may not be the main item in marketing.</p> <p>Drink and confectionery machines can act as advertising in themselves.</p> <p>The Federation of the Brewing and Soft Drinks Industry adopted the UNESDA Guidelines on marketing of beverages in 2007, which prohibit marketing (i.e. no vending machines) in primary schools and advertising on vending machines in secondary schools.</p>
France	Statutory regulation and approved self-regulation	All	All media with advertising	Required messages to accompany marketing in all media in which advertising appears – TV, radio, cinema, print, outdoor, internet banners, mail-outs. There are some exclusions: posters inside stores that provide information about food, oral messages about the products inside stores, advertisements for local and traditional fetes and fairs, packaging, and materials used to display the product.

Country	Type of policy	Sector coverage	Media channels covered	Beyond broadcast and electronic media
Germany	Approved self-regulation	Advertisers, retailers and media	Advertising media, including cell phones and internet	
Greece	Proposals to 'ban unhealthy advertising in children's TV'	Application of proposals not yet known	TV	
Hungary	None	-	-	Self-regulation: Advertising in a public educational institution may be carried out only with the permission of the institute's principal. The obligation to obtain such permission applies to the character of the product and service advertised, to the substance of advertisement, to the method of advertising and to the place of publication. The school headmaster's right to permit or prohibit a particular advertisement within his own competence should not be curtailed by any contract. No school advertising should disturb education or teaching, especially in respect of school time, timetables and lessons.
Ireland	Statutory regulation	All	Broadcast media	
Italy	2005-2007 proposals for self-regulation and legislation. No action.	-	-	
Latvia	None found	-	-	
Lithuania	None. Ministry of Health considering action	-	-	
Luxembourg	None. (Note that most TV is externally sourced.)	-	-	
Malta	None. No self-regulatory organisation	-	-	
Netherlands	Approved self-regulation and threat of legislation	Signatories to code	All media with advertising	No food advertising in primary schools and 'kindergarten' (age 3-6)
Poland	None	-	-	
Portugal	Approved self-regulation and threat of legislation	All	All media with advertising	

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Romania	Parliament-led voluntary commitments	Voluntary	As EU Pledge	Romanian Advertising Council: <i>'We will not communicate any products in primary schools, except for the case when the communication is specifically requested by, or mutually agreed with the school management, for educational purposes.'</i>
Slovakia	None	-	-	
Slovenia	Anticipated	-	-	
Spain	Approved self-regulation, proposals to consolidate with legislation and to raise age level and restrict to specific hours	Signatories to code	All media with advertising (except labelling and packaging)	
Sweden	Approved self-regulation; statutory ban on all advertising to children	All	All media with advertising	
UK	Statutory regulation and approved self-regulation	All	TV	

WHO EUROPEAN REGION				
Country	Type of policy	Sector coverage	Media channels covered	Beyond broadcast and electronic media
Albania	None	-	-	
Armenia	None	-	-	
Azerbaijan	None	-	-	
Belarus	None	-	-	
Bosnia and Herzegovina	Proposals anticipated; some moves to limit marketing in schools	-	-	In the Republika Srpska, there are plans for a school nutrition policy to limit marketing in schools.
Croatia	Proposals anticipated, arising from action plan commitments	-	-	
Georgia	None	-	-	
Iceland	Approved self-regulation. All adverts banned on state TV during 'children's hour'.	All	All, in general	<p><u>Secondary schools</u></p> <p>Advertisements, sponsoring or other marketing or promotion shall only be allowed with the written permission of the head teacher or his or her representative. A separate permit shall be issued each time or in advance for a specific period.</p> <p>Contracts that student associations make for the benefit of their members shall be transparent and accessible to students and presented to the head teacher in advance.</p> <p>Board members or other representatives of student associations may not profit or enjoy any personal gain in excess of others from a company for business or marketing in which the student association is an intermediary.</p> <p>Student associations may not provide companies with personal information such as student mobile phone numbers, addresses or email addresses for use in marketing. Companies may not use student name lists for marketing purposes. If an association chooses to act as an intermediary in a marketing campaign by phoning its members, sending them emails or delivering sticker lists, all members shall be given prior opportunity to refuse, on their own behalf, inclusion in such a list.</p>

				<p><i>Iceland (continued...)</i></p> <p><u>Primary schools and nursery schools</u> No advertisements are allowed in primary schools or nursery schools. The same applies to other marketing methods. Information on sports, hobbies and youth activities operated by the local authorities, however, is permitted. Moreover, sponsorship of activities within the school is permitted with the authorisation of the head teacher, taking into account the policies of the local authorities and the parents' association, if these are responsible for events within the school. Schoolchildren in normal school activities, however, shall not wear in a prominent place any label with the name of a sponsor. The logo of a sponsor may not be shown specifically or advertised in the location of the school. Sponsorship of educational material is only permitted to the extent allowed by municipal regulations.</p> <p><u>Religious activities</u> The same criteria apply to religious activities as to primary and nursery schools, although instead of the approval of the head teacher, the approval of the head of the religious association is required.</p> <p><u>Swimming pools and other sports facilities</u> Marketing and sales in sports facilities that children may be expected to frequent must focus on healthiness.</p> <p><u>Sports and youth activities</u> Board members or other representatives of sports and youth organisations may not profit or enjoy any personal gain in excess of others from a company for business or marketing in which the organisation is an intermediary. Sponsorship in the field of youth activities operated by local authorities, including parents' associations, is subject to the general rules that local authorities establish for themselves. These shall take a position on whether it is appropriate that children wear a label showing the logo of a sponsor.</p>
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Country	Type of policy	Sector coverage	Media channels covered	Beyond broadcast and electronic media
Israel	Parliamentary proposals for pre-9pm ban on advertising HFSS foods	-	-	Proposal also included 'put warnings on foods not healthy for children'.
Kazakhstan	None	-	-	
Kyrgyzstan	None	-	-	
FYR Macedonia	Action plan proposals to be developed	-	-	
Moldova	Proposals anticipated following Public Health Law 2009	-	-	
Norway	Approved self-regulation; legislation on advertising of all products to children	All signatories to code	Broadcast and non-broadcast media carrying advertising; schools	No advertising in schools Product samples should not be given to unaccompanied children. No sponsorship of events where children are unaccompanied. In sales promotions in retail outlets, caution should be shown in promoting energy-dense, nutrient-poor foods, and efforts should be made to promote the sale of healthier products.
Russian Federation	None, although general law restricts advertising to children	-	-	The general law also restricts advertising in textbooks, school diaries and exercise books.
Serbia	Proposals anticipated in new action plan	-	-	
Switzerland	Proposals for self-regulation; parliamentary proposals for legislation	-	-	
Tajikistan	None	-	-	
Turkey	Proposals anticipated from National Obesity Prevention Programme	-	-	
Turkmenistan	None	-	-	
Ukraine	None	-	-	
Uzbekistan	None	-	-	

Rest of the world				
Country	Type of policy	Sector coverage	Media channels covered	Beyond broadcast and electronic media
Australia	Legislation	All	Broadcast media	
Brazil	Proposals and Senate Bills (not passed)	All	All broadcast, electronic, films, games, toys, internet, free samples, vouchers, sponsorships, school or care settings	No marketing in the electronic media, films, toys, games, the internet No sales promotions (gifts, awards, bonuses, special presentations) No free samples, tastings or discount coupons No sponsorship of educational activities or sports featuring these foods No marketing of any type of these foods in schools or anywhere where children receive care, including any reference to these foods in educational materials
Canada	No official policy; in practice watching effects of self-regulation	-	-	
Chile	Self-regulation plus proposed legislation	Proposed: all	All, including school settings	No sales promotions involving competitions, gifts, games and other items attractive to children In schools, no selling, advertising or any type of promotion at all
Colombia	Statutory body being established 'to monitor and regulate'	Not stated	Not stated	
Malaysia	'Statutory guideline' to be monitored by self-regulation	Fast food companies	TV	
New Zealand	Anticipated policies shelved with 2009 change of government	-	-	

Country	Type of policy	Sector coverage	Media channels covered	Beyond broadcast and electronic media
South Africa	Draft legislation	All	All advertising	<p>Food and beverage products that do not represent healthy dietary choices and a healthy lifestyle ... shall not advertise on, or in close proximity to, pre-school and primary school premises.</p> <p>Food and beverage products that do not represent healthy dietary choices and a healthy lifestyle ... shall not use any form of promotional activity, such as free gifts, on pre-school and primary school premises.</p>
South Korea	Legislation	All	TV, radio, internet	Original proposals included restricting food advertising to children, labelling of fast foods, surveys on trans fats, and regulating foods in, and in the immediate vicinity of, schools.
Thailand	Legislation	All	TV	
USA	Proposals anticipated			