

Marketing to Children Ban : lessons learned from Quebec's experience

Suzie Pellerin, director
Quebec Coalition on Weight-Related
Problems



Une initiative parrainée par
l'Association pour la santé publique du Québec

Quebec Coalition on Weight-Related Problems

- Created in 2006
- Sponsored since 2008 by
- A solid partnership (organisations and individuals)
 - Close to 250 partners from :
 - Municipalities
 - Health professionals
 - Researchers
 - School districts
 - Environment professionals
 - Physical activity professionals
 - Etc.



Quebec Coalition on Weight-Related Problems

◉ Mandate :

- Obtain the **required support**
- To **make demands** for changing legislation and regulations and public policy in three strategic areas:
 - Agri-food industry
 - Sociocultural
 - Built environment
- In order to **encourage the development of** environments that help in making healthy choices and will contribute to **preventing weight related issues.**

Obesity in Canada : a major issue for health, wellness and economic

⦿ Obesity

- has reached **epidemic proportion** and continue to increase
 - 60% of adults are overweight (23% are obese)
 - In Quebec, more than 1 out of 5 children, 2-17 years old, are overweight
 - By 2040 approximately 70% of Canadians 40 y.o. or older will be overweight
- is related to many **chronic health problems**
 - Hypertension, heart disease, certain cancers, mental illness, type 2 diabetes
- costs between **4.3 billion \$ and 30 billion \$ a year** to Canadian taxpayers

Why the Obesity Epidemic?

According to World Health Organization:

Important contributing factor is “heavy marketing practices of energy-dense, micronutrient-poor foods”

- Focus of its global strategy for the prevention of chronic illnesses in 2008-2009
- Recommendations guiding efforts of Member States in regulating commercial communication about foods aimed at children



Marketing is More than Advertising

- ◉ Sponsorship
- ◉ Product placement
- ◉ Sales promotion
- ◉ Cross-promotions using celebrities, brand mascots or characters popular with children
- ◉ Websites
- ◉ Packaging
- ◉ Labelling and point-of-purchase displays
- ◉ E-mails and text messages
- ◉ Philanthropic activities tied to branding opportunities
- ◉ Viral marketing



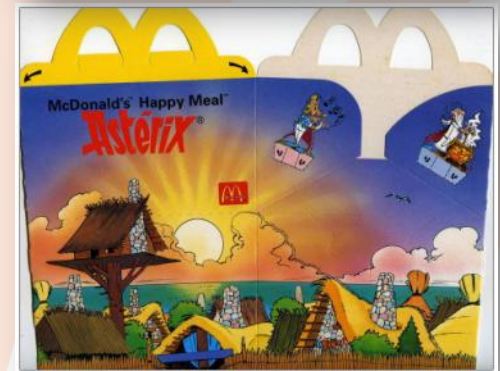
Toys and characters



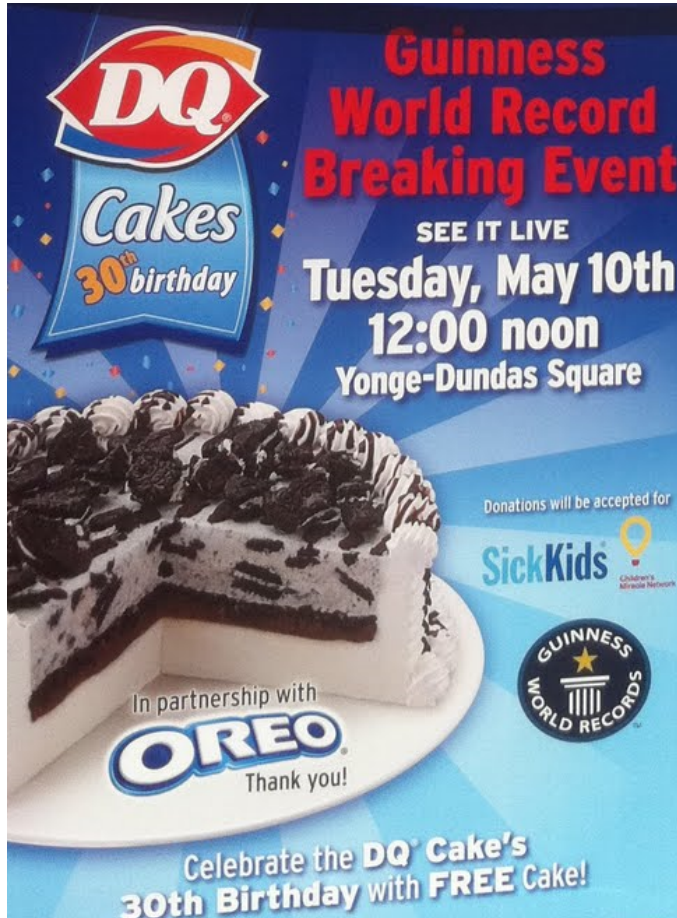
In-store marketing



Packaging



Special events



DQ
Cakes
30th birthday

Guinness World Record Breaking Event

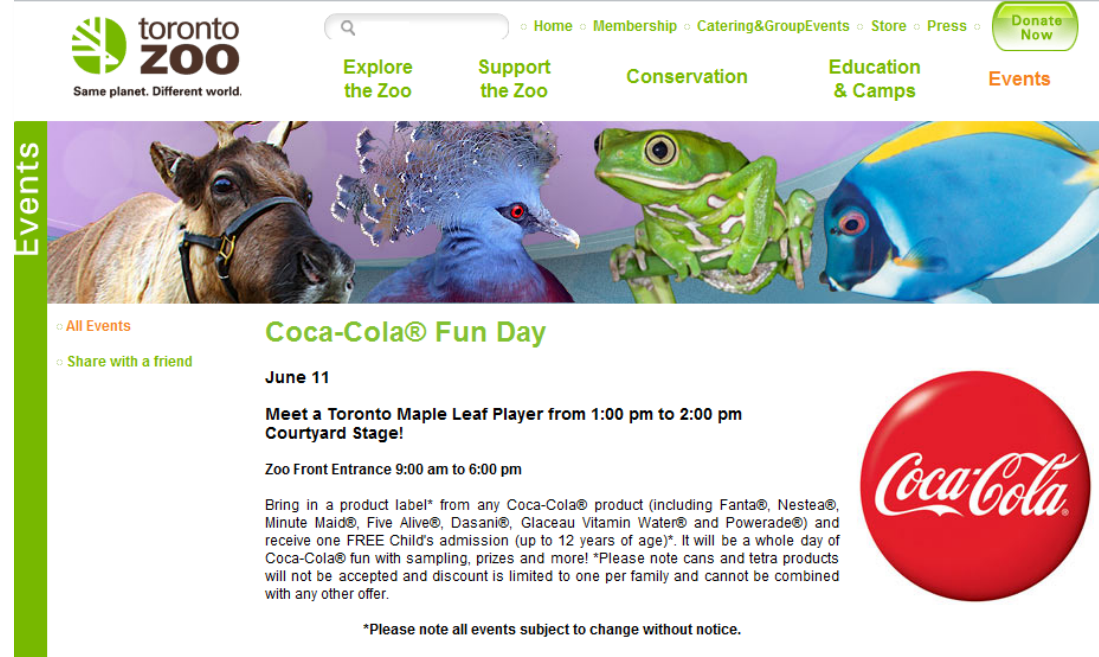
SEE IT LIVE
Tuesday, May 10th
12:00 noon
Yonge-Dundas Square

Donations will be accepted for
SickKids Children's Hospital Network

GUINNESS WORLD RECORDS

In partnership with
OREO
Thank you!

Celebrate the **DQ Cakes** 30th Birthday with **FREE** Cake!

toronto ZOO
Same planet. Different world.

Home Membership Catering&GroupEvents Store Press Donate Now

Explore the Zoo Support the Zoo Conservation Education & Camps Events

Events

Coca-Cola® Fun Day


June 11

Meet a Toronto Maple Leaf Player from 1:00 pm to 2:00 pm
Courtyard Stage!

Zoo Front Entrance 9:00 am to 6:00 pm

Bring in a product label* from any Coca-Cola® product (including Fanta®, Nestea®, Minute Maid®, Five Alive®, Dasani®, Glaceau Vitamin Water® and Powerade®) and receive one FREE Child's admission (up to 12 years of age)*. It will be a whole day of Coca-Cola® fun with sampling, prizes and more! *Please note cans and tetra products will not be accepted and discount is limited to one per family and cannot be combined with any other offer.

*Please note all events subject to change without notice.



Web sites



Banning Advertising Directed at Children



SWEDEN

NORWAY

QUEBEC

Quebec's Consumer Protection Act

Article 248

- Subject to what is provided in the regulations, no person may make use of commercial advertising directed at persons under thirteen years of age.

Article 249

- To determine whether or not an advertisement is directed at persons under thirteen years of age, account must be taken of the context of its presentation, and in particular of:
 - a) the nature and intended purpose of the goods advertised;
 - b) the manner of presenting such advertisement;
 - c) the time and place it is shown.

L.R.Q., chapitre P-40.1, 1978, c. 9, a. 248-249

Marketing to Children Ban is Effective

- ◉ Children affected by the marketing ban consume less sugary sweet cereals (Goldberg, 1990)
- ◉ French speaking families in Quebec eat 13% less often in a fastfood restaurants (Dhar & Baylis, 2011)
- ◉ Positive impact of the ban persist in adulthood (Dhar & Baylis, 2011)

Guilty pleas from Saputo and P2P



Saputo (01/2009)

- Promotion campaign of muffins in 231 daycare centers in 2007
- Guilty plea on 22 of 30 counts
 - Fine of 44 000\$

P2P Publicity Promotion (04/2009)

- Campaign
- Guilty plea on 8 counts
 - Fine of 16 000\$

Guilty plea from General Mills



General Mills (02/2009)

- Website which contained advertising, games and animated cartoons
- Invitation on boxes to visit the Lucky Charm's website
- Guilty on 1 count
 - Fine of 2000\$



Guilty plea from Burger King



- Burger King (05/2009)
 - Advertising messages accompanying toy figurines given with children meals
 - Guilty on 6 counts
 - Fine of 12000\$

Guilty plea from McDonald



McDonald (07/2009)

- TV advertising of Chicken McNuggets during Ciné-Cadeau program
- Guilty on 6 counts
 - Fine of 12000\$

Guilty plea from Maple Leaf Foods



2-TOON9-1.wmv

Maple Leaf (06/2012)

- TV advertising on Teletoon
- Guilty on 5 counts
 - Fine of 10000\$

More complaints

- Mc Donald's (TV advertising)
- Pizza Hut (TV advertising)
- Coca-Cola (product placements in children movie & video games)
- Monster (Shrine Circus' sponsorship)



2-TOON1-3.wmv



2-TOON1-2.wmv

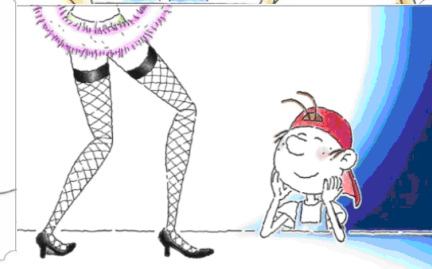


More complaints

- Red Bull (Web advertising, advergames & product placements in children movie)



GALERIE DE DESSINS ANIMÉS
VISIONNEZ VOS PUBLICITÉS RED BULL PRÉFÉRÉES.



Application guide



<http://www.opc.gouv.qc.ca/Documents/Publications/SujetsConsommation/FinancesAssurances/PubliciteTrompeusePratiques/EnfantsPub/GuideApplication.pdf>

Exclusions: Application of the CPA

- ◉ **Showcase**
- ◉ **Displays**
- ◉ **Containers**
- ◉ **Packaging**
- ◉ **Labels**
- ◉ **Show advertising**
- ◉ **Magazines for children**

R.R.Q., 1981, c. P-40.1, r. 1.

Public Policy Option Recommendations for Quebec

- ① **Regulations taking into consideration ALL new technologies and marketing tactics**
 - The new guide of application clearly recognizes more marketing tactics : web sites, e-mails and text messages, sponsorship
 - But not ALL of them : product placement, sales promotion, cross-promotions using celebrities, brand mascots or characters popular with children, packaging, labelling and point-of-purchase displays, philanthropic activities tied to branding opportunities, “viral marketing”, etc.¹
- ① **Regulatory framework accounting for viewing habits**
- ① **Surveillance resources**

Quebec vs Canada

Froot Loops' website access in Québec

- Children from 6 to 12 y.o.



« Désolé, nous ne pouvons pas te laisser entrer en raison de ton âge. »

www.frootloops.ca

Froot Loops' website access in other provinces and territories

- Children from 6 to 12 y.o.



Full access to games

Marketing to Children Ban : a Necessary Step for Canada

Federal Legislative Changes

Scenario 1: Overall Ban

- ⦿ Amendments to two laws
 - Food and Drugs Act
 - Competition Act
- ⦿ Simple in its application
- ⦿ Encompassing
- ⦿ Quebec experience
- ⦿ Equitable across industries

Scenario 2: Partial Ban

- ⦿ Amendments to one law
 - Food and Drugs Act
- ⦿ Laborious process of defining
- ⦿ More specific

Scenario 2: Partial Ban

⑥ Defining healthy and unhealthy foods

- Scenario 2 implies the adoption of clear, working definitions of food categories
- Complex endeavour arousing boisterous debates
- Many countries have such definitions
- **Why?**
 - Limiting exposure of certain ads
 - Enrichment and fortification
 - Labeling and health allegations
 - Food reformulation
 - Overseeing distribution in public places

Provincial Legislative Changes

Example for a marketing ban in BC

🕒 Business Practices and Consumer Protection Act

- Need to add following paragraph to **Section 6 (1)**, part 2

Subject to what is provided in the regulations, no person may make use of commercial advertising directed at persons under thirteen years of age.

To determine whether or not an advertisement is directed at persons under thirteen years of age, account must be taken of the context of its presentation, and in particular of: (a) the nature and intended purpose of the goods advertised;

(b) the manner of presenting such advertisement;

(c) the time and place it is shown.

The fact that such advertisement may be contained in printed matter intended for persons thirteen years of age and over or intended both for persons under thirteen years of age and for persons thirteen years of age and over, or that it may be broadcast during air time intended for persons thirteen years of age and over or intended both for persons under thirteen years of age and for persons thirteen years of age and over does not create a presumption that it is not directed at persons under thirteen years of age.

Thank you! Questions?

Contact :

📍 Web site : cqpp.qc.ca | Email : info@cqpp.qc.ca

📍  Facebook.com/CoalitionPoids

📍  @CoalitionPoids

📍  Youtube.com/CoalitionPoids


Une initiative parrainée par l'Association pour la santé publique du Québec

 PARTAGER

 Fil RSS | [Plan du site](#) | [English](#)


coalitionpoids
québécoise sur la problématique du

[À propos de nous](#) 

[Épidémie d'obésité](#) 

SPÉCIAL 

[Accueil](#)  [Contactez-nous](#)

Contactez-nous

 Imprimer



Je veux endosser
la Coalition Poids

Recherche 

Nos priorités



References

- **Statistics Canada**, *Canadian Community Health Survey*, cycle 2.2, 2004
- **INSPQ** (2009). *Le poids corporel chez les enfants et adolescents du Québec : de 1978 à 2005*. Consulted at http://www.inspq.qc.ca/pdf/publications/936_PoidsEnfant1978-2005.pdf
- **McKenna, MT, Taylor WR, Marks JS & Koplan JP.** (1998) "Current issues and challenges in chronic disease control", in R.C. Browson, P.L. Remington and J.R. Davis (under the dir. of), *Chronic Disease Epidemiology and Control*, 2nd ed., Washington, Americans Public Health Association, p. 1-26, quoted in the Governmental Action Plan "Investing in the future" 2006-2012.
- **Katzmarzyk PT & Janssen I** (2004). The economic costs associated with physical inactivity and obesity in Canada: an update. *Can J appl Physiol*, 29 (1), 90-115.
- **Behan DF & Cox SH** (2010). Obesity and its Relation to Mortality and Morbidity Costs. Society of Actuaries. Consulted at www.soa.org/files/pdf/research-2011-obesity-relation-mortality.pdf
- **World Health Organisation** (2003). *Diet, Nutrition and the prevention of chronic diseases: Report of a Joint WHO/FAO Expert Consultation*, WHO Technical report series 916, Genève, 63. Consulted at http://www.who.int/hpr/NPH/docs/who_fao_expert_report.pdf
- **Institute of Medicine of the National Academies** (2006). *Food Marketing to Children and Youth: Threat or Opportunity? National Academy of Sciences*. Committee on Food Marketing and the Diets of Children, Washington D.C., The National Academy Press: 536 pages
- **World Health Organization** (2009). Prevention and control of noncommunicable diseases: implementation of the global strategy. Report by the Secretariat, Executive Board, 126th Session. Consulted at http://apps.who.int/gb/ebwha/pdf_files/EB126/B126_12-en.pdf
- **Dhar, T. & Baylis, K.** (2011). Fast-Food consumption and the Ban on Advertising Targeting Childre : The Quebec Experience. Consulted at http://www.marketingpower.com/AboutAMA/Documents/JMR_Forthcoming/fast_food_consumption.pdf
- **Baylis, K. & Dhar, T.** (2007) Effect of the Quebec Advertising Ban on Junk Food Expenditure. Consulted at <http://www.aae.wisc.edu/events/papers/AppEcon/2007/baylis.11.07.pdf>
- **Goldberg, M.E.** (1990). A Quasi-Experiment Assessing the Effectiveness of TV Advertising Directed to Children. *Journal of Marketing Research*, 27(4), 445-454.

Scope of the Law: Audience Composition

Nature of the product:	without any appeal for children	with a distinctive appeal for children	exclusively directed at children
DEFINITIONS: TV time and place:	Products directed at adults and teenagers	Products directed at families/all age groups	Products directed at children and offering a distinctive appeal for them
Program for children (audience composed of over 15% of children)	AUTHORIZED IF If presentation not likely to be interesting for children	NOT AUTHORIZED Except if presentation not likely to be interesting for children	NOT AUTHORIZED
Program with an audience composed of 5% to 15% of children	AUTHORIZED IF presentation not likely to be interesting for children	AUTHORIZED IF presentation not likely to be interesting for children	
Program with an audience composed of less than 5% of children			

Scope of the Law: Listening Periods

Tableau 5-3
 Nos commentaires de la « grille indiquant les moments de la journée
 où les enfants sont à l'écoute de la télévision »²⁵

	Selon le <i>Guide</i>	En 2008
Semaine	7 h à 8 h 30	Bonne écoute
	9 h à 10 h 30	Peu d'écoute
	11 h à 12 h 30	Peu d'écoute
	16 h à 18 h	Dès 15 h 30 (après l'école) mais jusqu'à 20 h et même 21 h le vendredi
Samedi	7 h à 13 h	Bonne écoute
	14 h à 16 h 30	Bonne écoute
	17 h à 18 h	Bonne écoute mais prolongée jusqu'à au moins 22 h
Dimanche	7 h à 10 h	Bonne écoute
	17 h à 17 h 30	Bonne écoute
	18 h 30 à 19 h	Bonne écoute mais prolongée jusqu'à 20 h et même 21 h. Toutefois, malgré qu'il y ait plusieurs milliers d'enfants devant l'écran les dimanches soir, l'auditoire adulte atteint les deux millions, ce qui relativise (à la baisse) l'importance de l'auditoire-enfant.