2015

EU PLEDGE SURVEY

EASA

The European Advertising Standards Alliance (EASA) is the single authoritative voice of advertising self-regulation. EASA promotes high ethical standards in commercial communications by means of effective self-regulation for the benefit of consumers and business. For further information, please visit: www.easa-alliance.org.

As a non-profit organisation based in Brussels, EASA brings together national advertising self-regulatory organisations and associations representing the advertising industry in Europe.

EASA editorial team

Maria Tsoumou, Project and Finance Coordinator

Chiara Odelli, Policy Manager

Sibylle Stanciu-Loeckx, Director of Operations and Policy

Oliver Gray, Director General

EASA contact information

Maria Tsoumou

+32 (0)2 513 78 06

maria.tsoumou@easa-alliance.org

Copyright

Compiled in

November/December 2015

Table of Contents

Figures

Tables

Tables

Introduction

EASA was commissioned by the EU Pledge Secretariat to review a number of food and beverage brand websites belonging to the EU Pledge[1] member companies. The goal of the project was to determine whether the company-owned websites reviewed were compliant with the relevant EU Pledge Commitment.

Compliance with the EU Pledge Commitment is determined on the basis of whether:

- The website features marketing communications;
- If these marketing communications promote food or beverage products, as opposed to a brand in general;
- Such food and beverage products meet or do not meet the EU Pledge common nutrition criteria;
- Such marketing communications are designed to be targeted primarily at children under 12.

In order to offer unbiased, independent and accountable results, a 'consumer-oriented approach' was drawn up by the EASA Secretariat in collaboration with the EU Pledge Secretariat and the independent reviewer of this exercise, Dr. Verónica Donoso[2]. Advertising self-regulation experts were requested to try and think from the perspective of a child younger than 12 while reviewing brand websites and keep in mind what a child of this age would find interesting and attractive. Special attention had to be paid to specific aspects of the websites that would make them appealing to under-12s.

---

[1] The EU pledge is a voluntary commitment of leading food and non-alcoholic beverage companies to limit their advertising to children under 12 to products that meet common nutrition criteria. Some EU Pledge member companies have taken the decision not to advertise any of their products to children under 12. The EU Pledge is a response from industry leaders to calls made by the EU institutions for the food industry to use commercial communications to support parents in making the right diet and lifestyle choices for their children. The EU Pledge programme is endorsed and supported by the World Federation of Advertisers.

[2] Verónica Donoso (PhD) is INHOPE Executive Director and is affiliated researcher at the Centre for IT & IP Law at the Faculty of Law of the University of Leuven (KU Leuven). Her main areas of expertise are children and young people's uses of new media and e-safety, user experience research, human computer interaction (HCI), and users` empowerment through the use of new technologies. Verónica has worked on a number of European and Belgian projects, including the EU Kids Online I, II and III. She also coordinated the 2nd Assessment of the Safer Social Networking Principles for the EU.

Project Overview

Experts from eight European self-regulatory organisations (SROs) were invited by EASA and the EU Pledge Secretariat to conduct the monitoring exercise in September and October 2015 in order to assess the appeal of marketer-owned websites to children under 12. The eight chosen SROs represent different systems in terms of size (big vs. small SROs), location (geographical coverage) and maturity (new vs. old systems).

Table 1: List of the participating countries/SROs

Country	SRO	Date of Establishment
France	ARPP	1935
Germany	DWR	1972
Italy	IAP	1966
Netherlands	SRC	1964
Poland	RR	2006
Romania	RAC	1999
Spain	AUTOCONTROL	1977
United Kingdom	CAP	1962

Experts from SROs in Romania, Spain and the Netherlands each reviewed 23 national brand websites of EU Pledge company members, including where available at least one website per company. 30 national brand websites were reviewed in France, Germany, Poland, the UK and Italy, including where available at least two websites per company. Corporate websites[3] were excluded from the exercise.

Table 2: List of the EU Pledge member companies

EU Pledge member companies	
Amica Chips	Burger King
Coca-Cola	Danone
Ferrero	Intersnack
Royal FrieslandCampina	ICA Foods
Mondelēz International	Lorenz Snack-World
Kellogg's	Quick Group
McDonald's Europe	KiMs
Mars	General Mills
Nestlé	Zweifel Pomy-Chips
PepsiCo	Unichips-San Carlo
Unilever	

---

[3] A corporate website is a general informational website operated by a company

Methodology

For the markets selected for monitoring, the EU Pledge Secretariat provided EASA with a list of all products promoted by the EU Pledge member companies. The list indicated whether or not these products met the EU Pledge common nutrition criteria set out in the EU Pledge. From this, EASA compiled a list of websites that promoted products that do not meet the nutrition criteria; from EASA's list, the experts selected the websites to review. When making their selection, reviewers were requested to take into account products popular amongst children in their country.

EASA, the EU Pledge Secretariat and independent reviewer Dr. Verónica Donoso, developed a methodology including a questionnaire for experts to answer when reviewing each website selected. The methodology and questionnaire were developed to ensure objectivity and consistency across the project.

The questionnaire asked the experts if the website being reviewed contained elements, such as games/entertainment activities[4], animations/sound effects/videos, licensed characters and toys and to decide if these were in their view primarily designed for children under 12. Reviewers then had to judge if these elements, in conjunction with the creative execution of the website (i.e. simplicity of language, use of font size and typeface, use of colours, etc.), were clearly intended to make the marketing communication(s) on the website primarily appealing to under-12s.

A number of websites contained features to screen the age of visitors to the website; the reviewers were asked to note if a website contained such features. However, this element was not considered to be sufficient to ensure compliance if the marketing communications on the website were clearly designed to appeal primarily to children under 12.

On the basis of the level of appeal of the creative execution to under-12s as well as the overall findings reported by the experts, EASA determined the final compliance of the websites with the EU Pledge criteria.

Beyond compliance of websites with the EU Pledge, the experts also flagged any items on the websites reviewed that potentially breached any applicable advertising codes or relevant legislation.

The following were taken into account:

- ICC Framework for Responsible Food and Beverage Marketing Communications;
- Relevant advertising standards and national sectoral codes;
- Relevant advertising laws.

---

[4]A game/entertainment activity is an activity engaged for diversion or amusement. A non-exhaustive list of games/entertainment activities are: online games which are played over the Internet, games such as Casual/Social Games, Puzzles, Board Games, Role-Playing Games Show, Trivia, Card Games, Racing, Arcade, colouring sheets, activity sheets, Do it yourself activities, etc.

All reviews were performed by experts from national SROs; EASA's role in the project was to ensure that the results were reported in a consistent manner.

Note on the Methodology

EASA, in collaboration with the EU Pledge Secretariat and independent reviewer Dr. Verónica Donoso, has taken great care to ensure that the results of this project are objective and consistent.

To do this, a detailed methodology was developed; it was then applied by all experts when assessing the websites. However, although it may be relatively easy to determine if a website appeals to children in general, it is much harder to determine if a website is designed to appeal primarily to children younger than twelve. As a result, the decisions of the experts retain an unavoidable degree of subjectivity, although it is informed by their extensive day-to-day professional experience. Readers are requested to bear this in mind.

Note from the Independent Reviewer

As in previous years, the 2015 monitoring exercise attempted to determine whether the company-owned websites reviewed were compliant with the EU Pledge Commitment.

When analysing the results of the assessment of brand-owned websites, this year`s results are quite similar to the ones from last year. On one hand, this is positive because in general the percentage of websites not being compliant with the commitment remains low. Of the 219 national brand websites reviewed, seven websites (roughly 3%) were considered in breach of the EU Pledge as they contained elements such as games or entertainment activities, toys used as premiums or animations, videos, sound effects designed primarily for under-12s, as well as language, text or navigation clearly intended to make the marketing communications on the website appealing primarily to children under 12. It is also interesting to note that several of the emerging trends observed last year have remained. For instance, more websites are employing age-screening mechanisms (13% in 2015 and 14% in 2014 as compared to only 8% in 2013), more websites feature licensed characters (18% in 2015; 15% in 2014 and only 9% in 2013), but less target children under 12 (only 5% this year). There is also a considerable presence of games or entertainment activities on websites (28% as opposed to 23% last year), however, similarly as last year, only 10% were considered as primarily appealing to young children. A high increase in the amount of websites displaying animations is observed once again (58% in 2015, 60% in 2014 and only 22% in 2013), although only 5% have been assessed as designed to appeal primarily to children under 12, which is a considerable improvement as compared to last year`s 15%. The number of websites using toys as premiums, which were considered as primarily appealing to under-12s, remains as low as last year and only amounts to 5%.

On the basis of these results, we can conclude that, in general, the industry players committed to the EU Pledge are taking measures to ensure their compliance with the initiative. This is particularly evident in the low percentage of company-owned websites (roughly 3%) considered in breach with the EU Pledge as well as in the high increase of the age-screening mechanisms present. Nevertheless, even though current age-screening mechanisms can be useful especially with very young children, there is no evidence available demonstrating their effectiveness as gate-keepers. This is why we consider age-screening as a "nice-to-have" feature, but it cannot be considered as enough to prevent children accessing inappropriate and /or potentially harmful online content.

Another important aspect to take into consideration is the fact that even though specific websites may not be designed to appeal "primarily" to children under 12, this does not necessarily mean that the website may not be attractive for younger children as well. Furthermore, the high presence of animations, licensed characters and games make the results of this year`s monitoring somehow worrying.

As repeatedly pointed out in previous assessment exercises, the rapid evolution of digital technologies, their ubiquitous and interconnected nature as well as the fact that more and

more under-12s are using digital technologies on a daily basis demands the continuous review of the objectives set by the EU Pledge so that they can remain relevant and up-to-date.

As a final recommendation, I cannot but stress once again, that more reliable results would be achieved if other methods for data collection were employed to complement the current methodology. In particular, experiments testing the appeal of specific websites (or elements thereof) with children should be carried out in order to offer a more reliable account. The fact that the findings presented in this report are based exclusively on the expert evaluations carried out by adults, presents important limitations to this assessment exercise.

Lastly, I would like to thank the participating SROs for carrying out an exhaustive and objective evaluation of the websites selected for this assessment. I would also like to thank the EU Pledge Secretariat and EASA for doing their best to ensure the objective, critical and transparent assessment of this self-regulatory initiative. Last, I would like to thank the signatories of the Pledge for trying to make a difference in the way food and beverage products are advertised to children. The results are still far from perfect, but it is only through continuous motoring exercises such as the EU Pledge that we will be able to identify new trends, to inform policy makers and to foster the effective implementation of advertising self-regulation which can enhance marketing communication practices directed at children so that they can be empowered while their needs and their rights are seriously taken into consideration.

Dr. Verónica Donoso

Independent reviewer

Executive Summary

- A total of 219 national brand websites were reviewed;

- All of the websites reviewed contained product promotion and featured at least one product that was not compliant with the common nutrition criteria;

- 11 websites exhibited licensed characters, tie-ins or celebrities that were considered to be appealing primarily to under-12s;

- 22 websites featured entertainment activities or games that were considered to be designed to appeal primarily to under-12s;

- 11 websites contained animations, videos or sound effects that were considered to be designed to appeal primarily to under-12s;

- 12 websites featured toys used as premiums that were considered to be appealing primarily to under-12s;

- Out of the 219 websites, seven were considered in breach of the EU Pledge criteria as they contained elements, such as entertainment activities or games, toys used as premiums or animations, videos, sound effects designed primarily for under-12s as well as language, text or navigation clearly intended to make the marketing communications on the website appealing primarily to under-12s;

- Out of the 219 websites reviewed 17 contained items that were in breach of advertising codes or relevant advertising laws. In total, 30 problematic items were flagged.

1. Brand-Owned Websites

1.1   Sample of Brand-Owned Websites

A total of 219 websites were reviewed by the experts. The table below provides an overview of the number of websites that were reviewed per country.

Table 3: Number of websites reviewed per country

Country	Number of Websites Reviewed
France	30
Germany	30
Italy	30
Netherlands	23
Poland	30
Romania	23
Spain	23
United Kingdom	30
TOTAL	**219**

1.2   Product Promotion

The reviewers identified product promotion on all of the 219 websites reviewed. All websites reviewed featured at least one product that did not meet the common nutrition criteria.

1.3   Age screening/Parental Consent

28 out of 219 websites reviewed contained mechanisms to screen the age of the website visitor. Methods ranged from a field where the visitor had to enter his/her date of birth to a pop-up asking whether the visitor was older than a certain age.

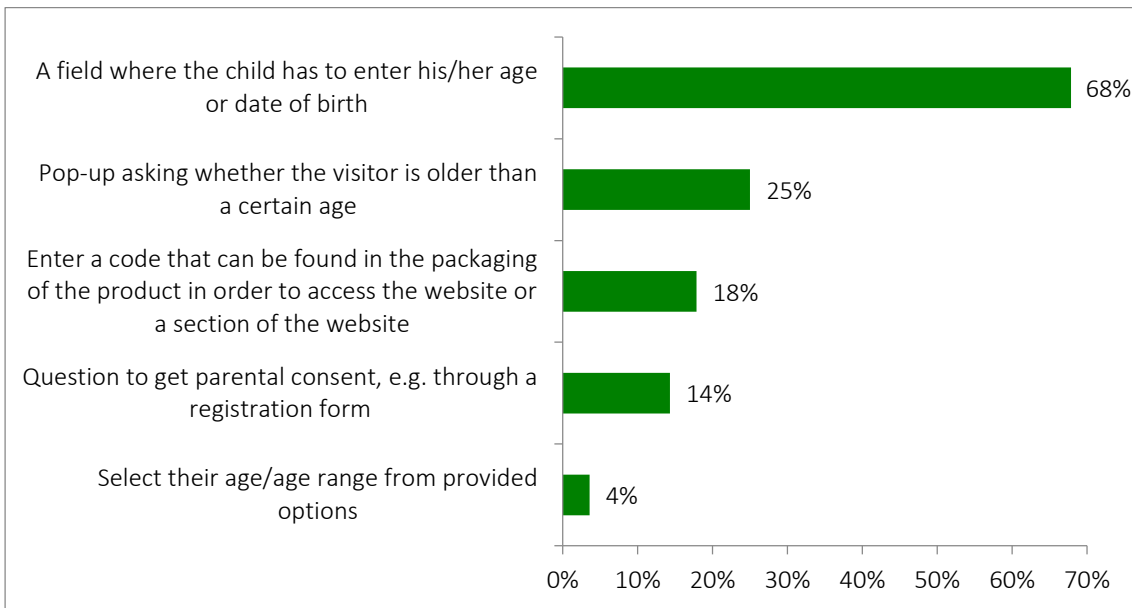*Figure 1: Number of websites featuring age screening (N=219)*
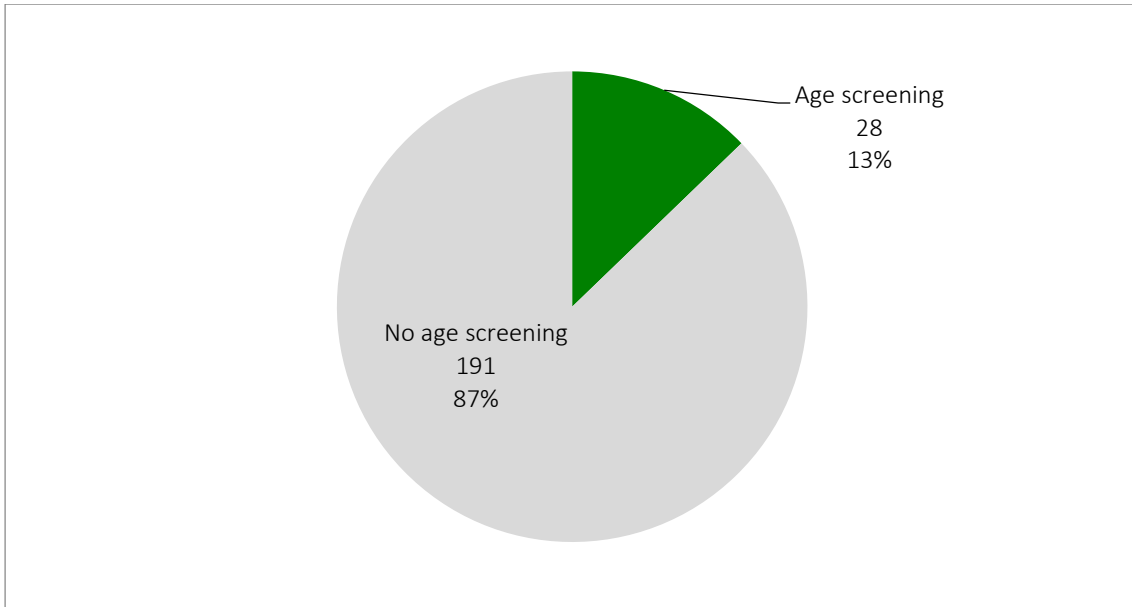
*Figure 2: Types of age screening (N= 28)*

1.4   Licensed Characters/Tie-ins/Celebrities

The reviewers checked if the websites or the children's section(s) of the website featured ''licensed characters'', i.e. characters acquired externally and linked for example to movies, cartoons or sports, or if they featured movie tie-ins as a means to promote food or beverage products.

40 out of the 219 websites reviewed featured licensed characters/tie-ins. In 11 instances the reviewers considered that these characters/tie-ins were designed to target primarily children under 12. In addition, six of these websites used the licensed characters/tie-ins to promote food or beverage products.

Figure 3: Number of websites featuring licensed characters/tie-ins (N=219)
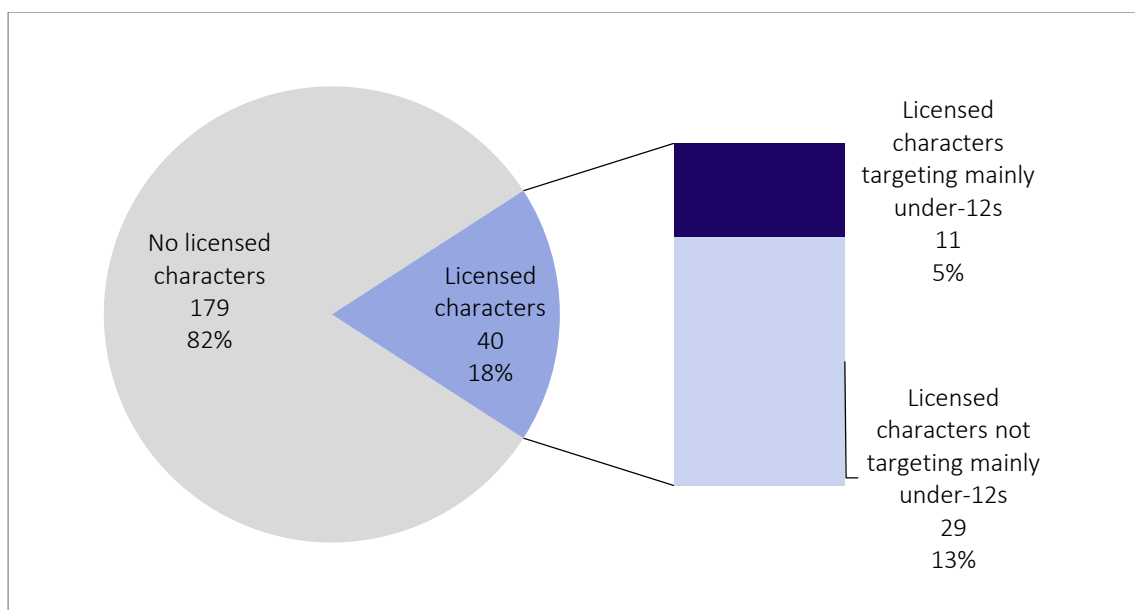
Reasons as to why the reviewers considered the licensed characters/tie-ins to be appealing primarily to under-12s are featured in the following chart. The combination of several of these criteria is a strong indicator that the licensed character is primarily appealing to young children.
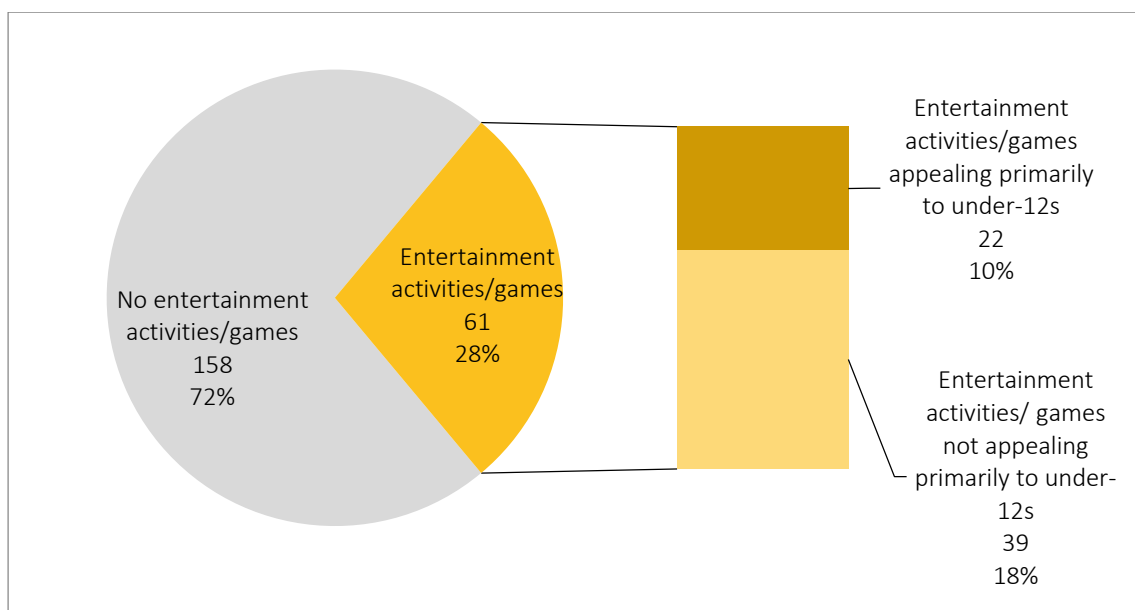
Figure 4: Main indicators for licensed characters/tie-ins considered primarily appealing to under-12s (N=11)
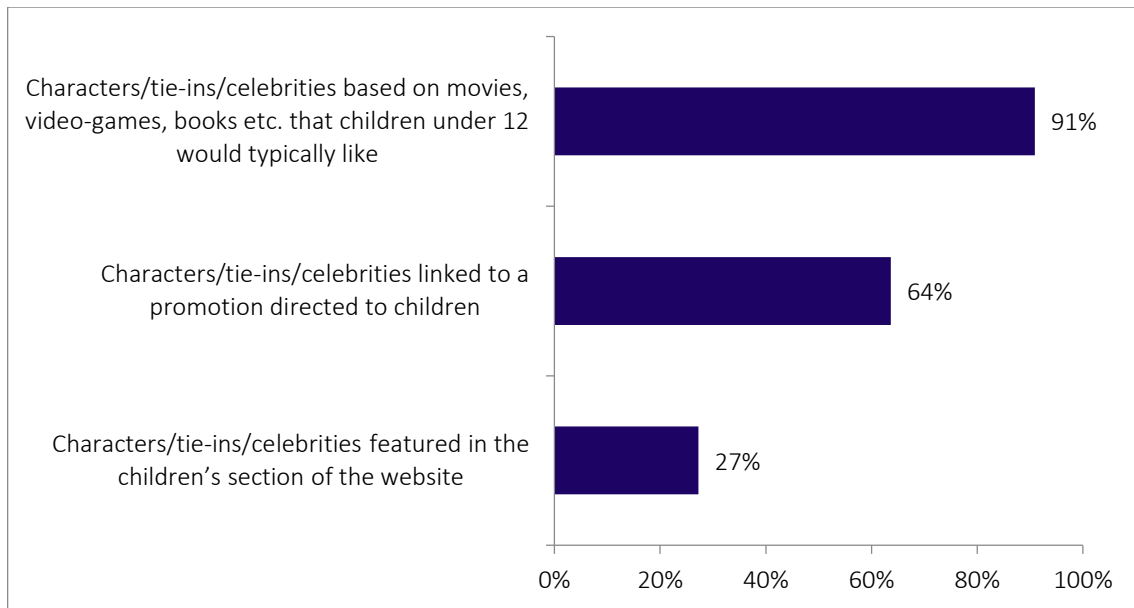

1.5   Entertainment Activities/Games

The reviewers identified entertainment activities/games on 61 of the 219 websites reviewed. In 22 instances the reviewers considered that the entertainment activities/games were designed to appeal primarily to under-12s. In addition, 11 of these websites used the entertainment activities/games to promote food or beverage products to children.

Figure 5: Number of websites featuring entertainment activities/games (N=219)

Reasons as to why the reviewers considered the entertainment activities/games to be appealing primarily to under-12s are featured in the following chart. The combination of several of these criteria is a strong indicator that the entertainment activity/game is primarily appealing to young children.

Figure 6: Main indicators for entertainment activities/games considered primarily appealing to under-12s (N=22)
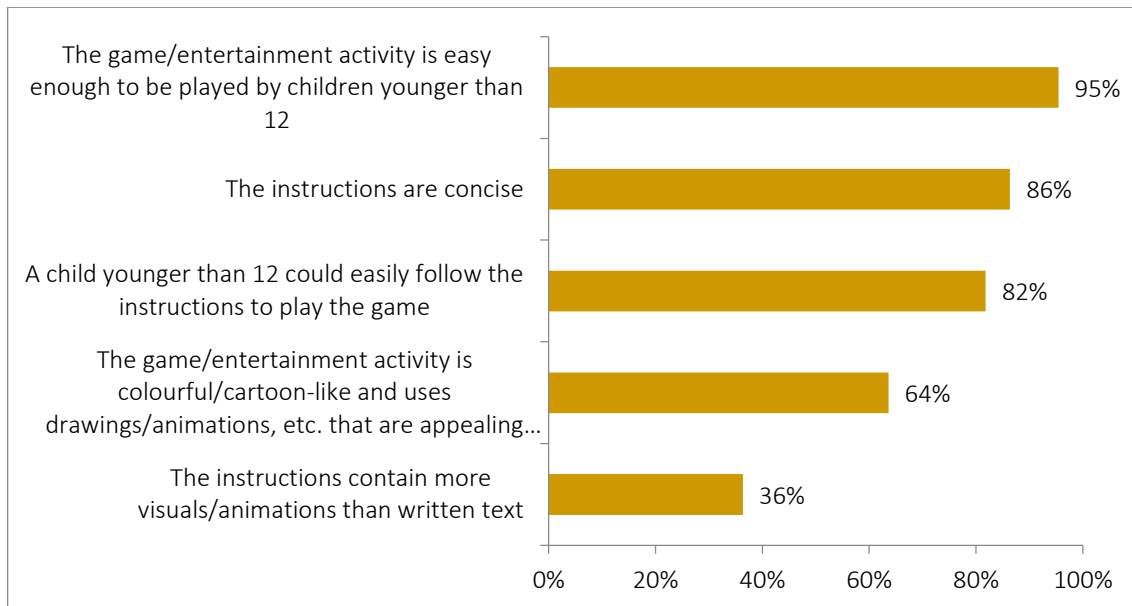

1.6   Animation/Sound Effects/Videos

128 of the 219 websites reviewed featured animations such as cartoons, animations depicting fantasy situations, sound effects or videos. According to the reviewers, 11 of these websites used animations, sound effects or videos which were designed to appeal primarily to under-12s. In addition, ten of these websites used these to promote food or beverage products to children.

Figure 7: Number of websites featuring animation, sound effects or videos (N=219)
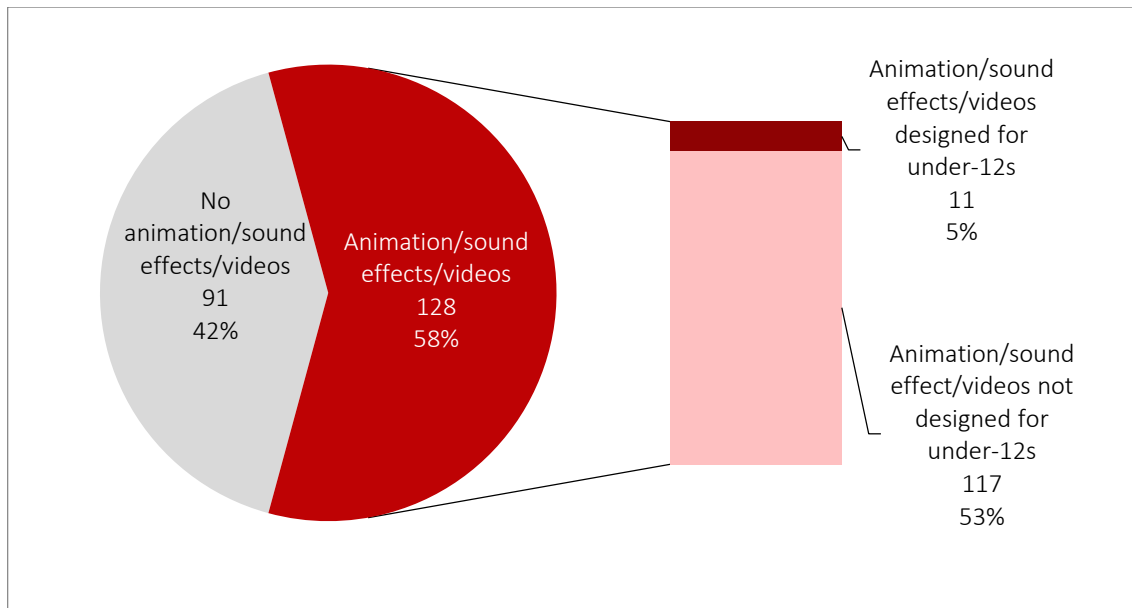
Reasons as to why the reviewers considered the animations, sound effects or videos to be appealing primarily to under-12s are featured in the following chart. The combination of several of these criteria is a strong indicator that the animations are primarily appealing to young children.

Figure 8: Main indicators for animation, sound effects or videos considered primarily appealing to under-12s (N= 11)
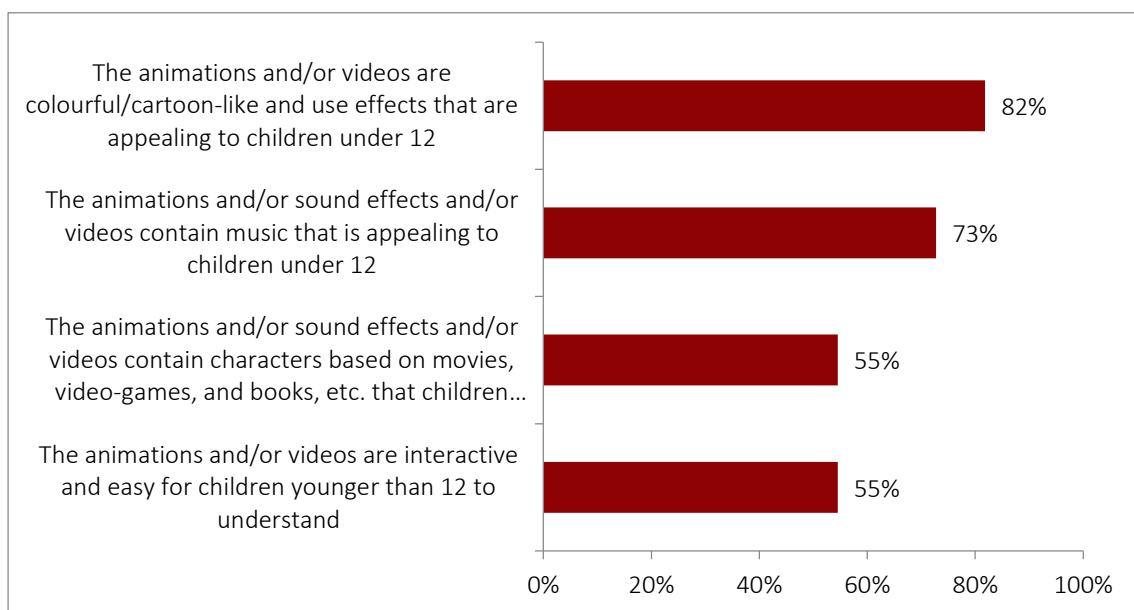
1.7   Toys Used as Premiums

The reviewers identified 20 websites that used toys or other premiums to promote a food or non-alcoholic beverage products. Examples of toys included figures of cartoon characters, stickers, board games, soccer balls and school supplies such as pencil cases. In 12 of the 20 cases the toys were considered to be designed to appeal primarily to children under 12 and therefore promoting food or beverage products to children.

Figure 9: Number of websites featuring toys used as premiums (N=219)
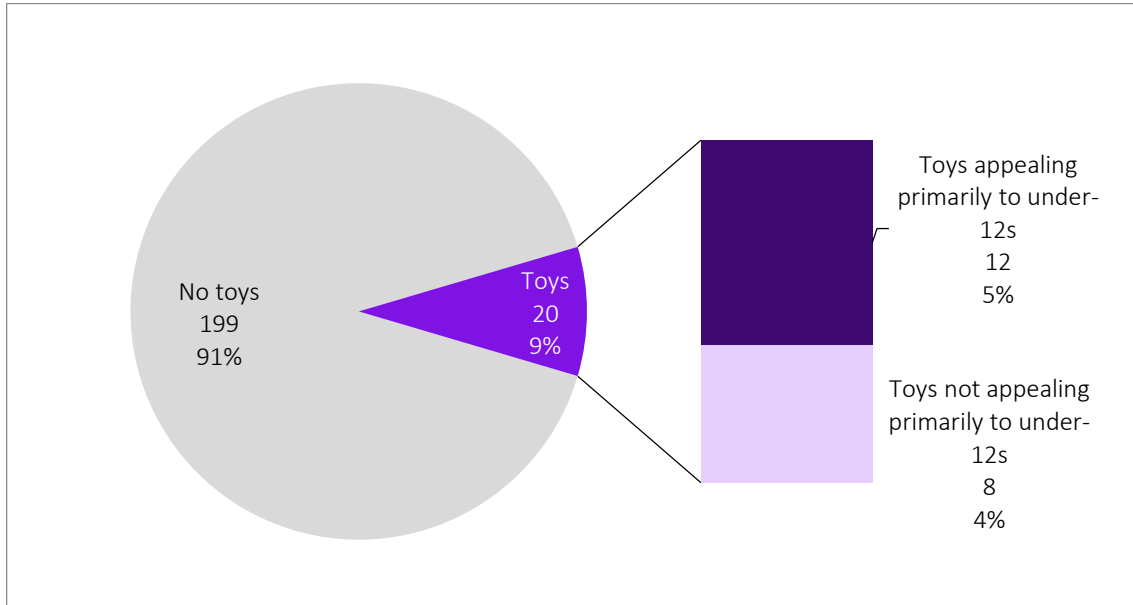
1.8 Compliance with the EU Pledge Criteria

Seven of the 219 websites reviewed were found not to be compliant with the EU Pledge.

In order to determine whether the website was designed to target primarily under-12s, and subsequently to assess if the marketing communications were intended to appeal primarily to under-12s all of the previously identified elements had to be considered. This included the use of animations/sound effects/videos, entertainment activities/games, toys or licensed characters/tie-ins/celebrities as well as the creative execution of the website, i.e. the overall impression of the website design (use of colours, typeface, font size, language, etc.).

Decisive factors in judging the appeal of a website to young children were the usability of the websites (i.e. ease of navigation), simplicity of language, font size, colour schemes and the level of entertainment offered on the websites.

Figure 10: Compliance with the EU Pledge criteria (N=219)
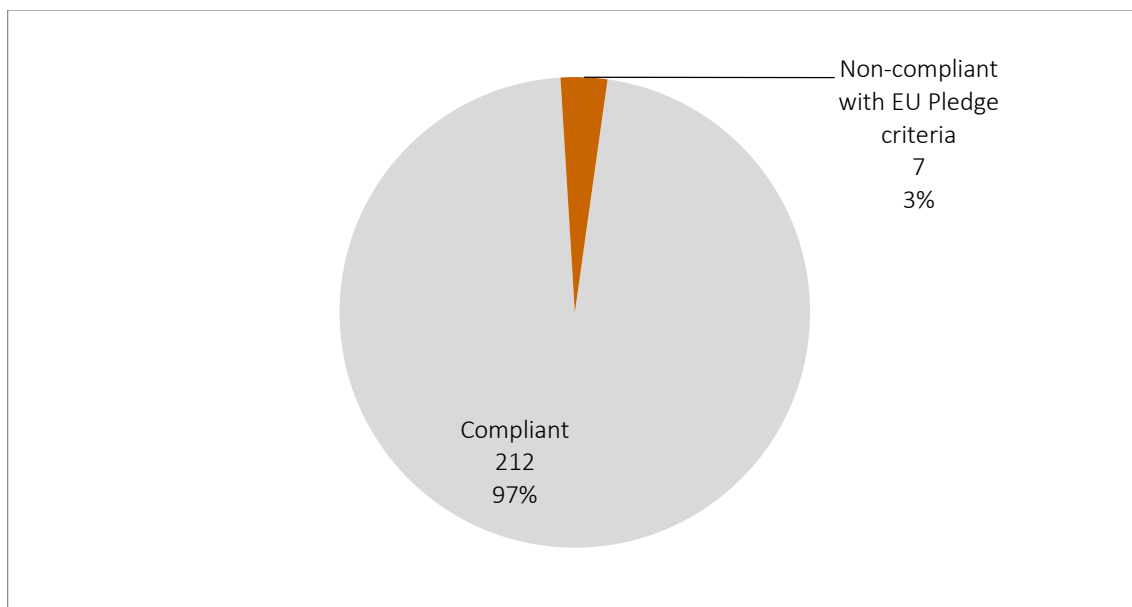
All of the websites that were considered as appealing primarily to children under 12 and therefore in breach of the EU Pledge, featured animation/sound effects/videos as well as entertainment activities/games designed for under-12s. Three websites included toys designed for children under 12 and one website featured licensed characters/tie-ins/celebrities.

It is important to highlight that although the use of an age gating mechanisms does indicate the intent of the marketer to be compliant, it does not per se render a website compliant with the commitment. A case in point is one of the websites monitored this year that was considered to be primarily appealing to children under 12 despite the use of an age screening tool.
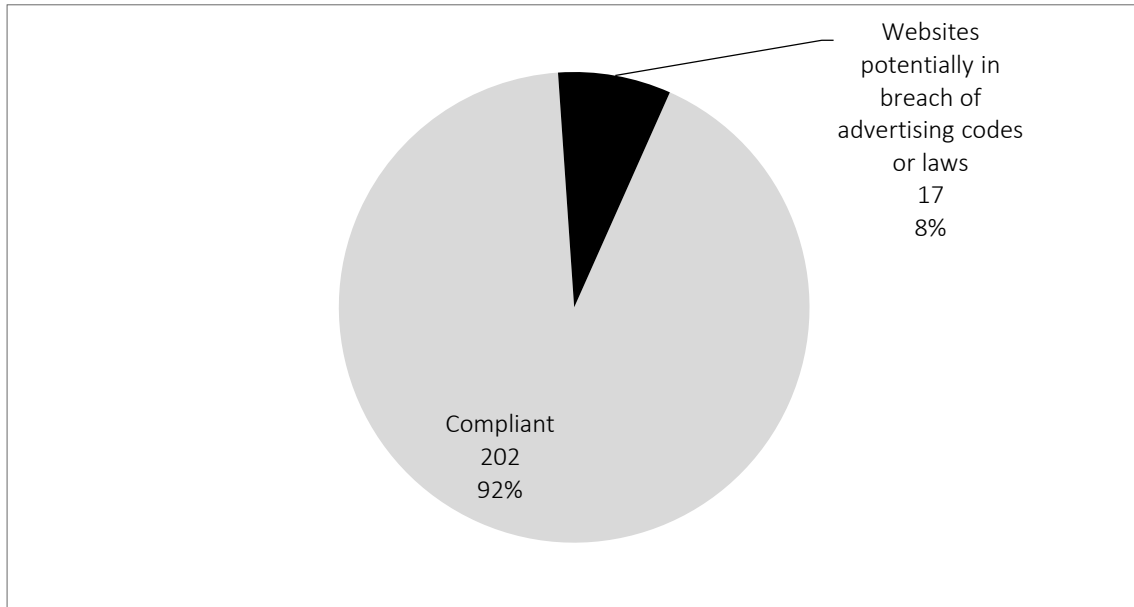
Figure 11: Elements of websites primarily appealing to under-12s (N=7)
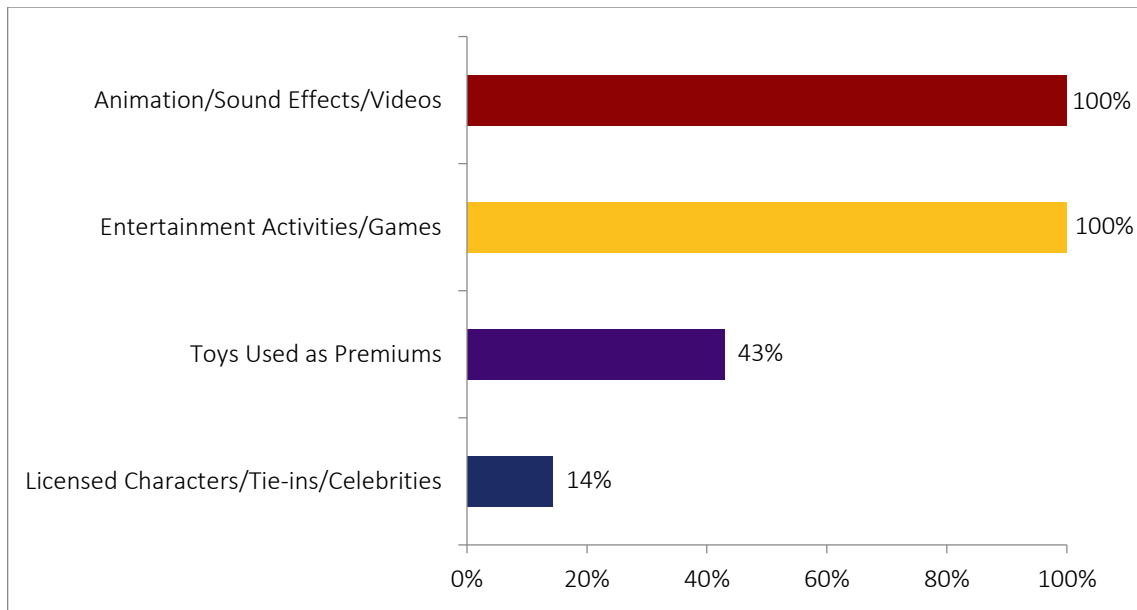
1.9   Compliance with Advertising Codes/Laws

On 17 out of the 219 websites, the reviewers identified items that were considered as potentially in breach of advertising codes and/or relevant advertising laws.

Figure 12: Compliance with advertising codes/laws (N=219)

On these 17 websites, a total of 30 problematic items were found.

Figure 13: Potential breaches of advertising codes/laws (N=30)
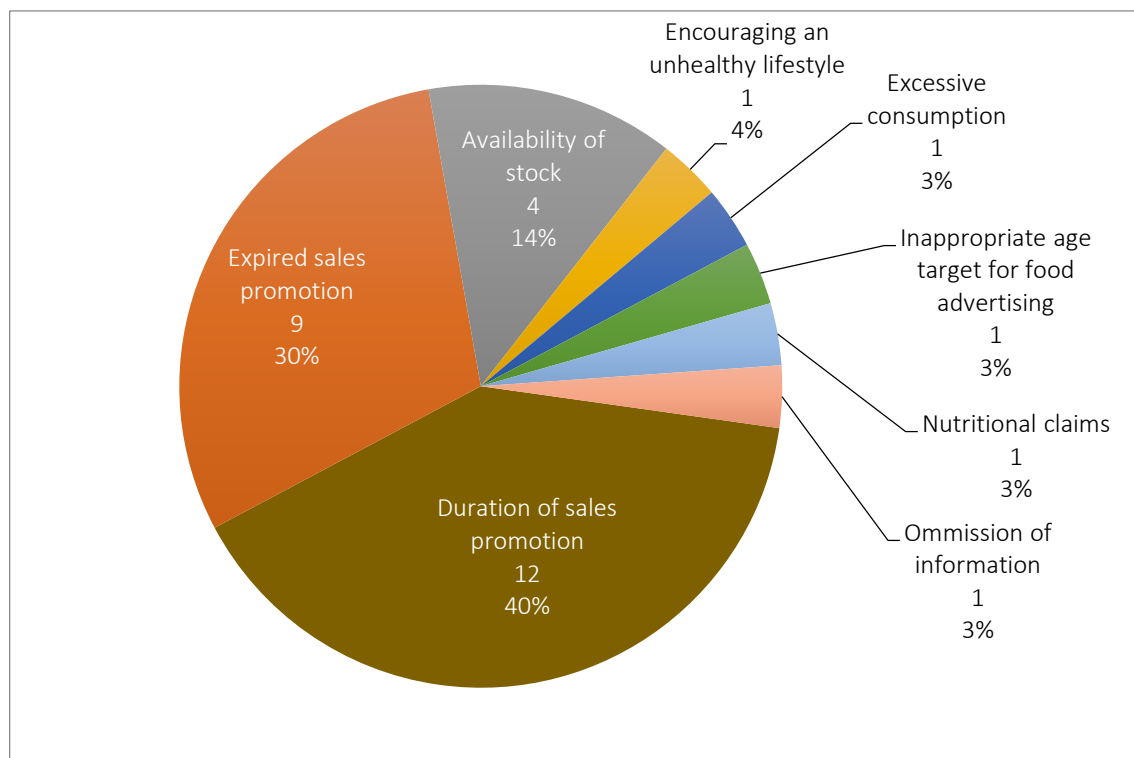
In 12 instances the websites were found to be potentially in breach of advertising codes or laws because of the lack of clear mention of the duration of sales promotions or raffles.

In other nine cases, the reviewers found on the websites sales promotions that had already expired at the time of the review.

Furthermore, the reviewers flagged four cases for not specifying the number of units available for a promotion or for not mentioning the stores where the sale promotion was available.

In one website the reviewers identified claims that were considered as condoning or encouraging poor nutritional habits or an unhealthy lifestyle while another website featured statements that encouraged excessive consumption.

One website was flagged for promoting food products to an inappropriate age target for food advertising.

Finally, one website contained problematic nutrition claims and another one was flagged for not including information regarding the size reference of promoted toys.

Notes