Older kids still vulnerable: All children need protection from unhealthy food marketing

Policy solutions are needed to reduce unhealthy food marketing to all children.

Given the negative influence of unhealthy food marketing on all youth, the CFBAI food industry self-regulatory program should at least limit all forms of unhealthy food marketing to children 14 years old and younger through the following actions:

- Expand definitions of child-directed programming in measured media to include programming viewed disproportionately more often by children 14 years old and younger;
- Expand definitions of child-directed programming in other media to include content that is popular with children 14 years old and younger;
- Expand definitions of child-directed advertising to include the use of techniques that appeal to children 14 years old and younger, such as advergames, celebrities, licensed media properties, and other activities that appeal to this age group;
- Limit marketing in middle schools, not just elementary schools, including all forms of in-school promotion; and
- Cover all other forms of marketing targeted to children 14 and younger, including sponsorships, on-package promotions, in-store displays, giveaways and incentives, and social media marketing.

All companies that market to children in any form, even if they do not advertise on children’s television programming, should have a policy that does not allow marketing of unhealthy products to children 14 years and younger.

- Food and beverage manufacturers and restaurants that do not participate in the CFBAI should have such a policy, as well as entertainment companies that accept food advertising to children.
- This policy should be in writing and readily available to the public.

However, given the slow pace of improvement through industry self-regulation, the federal, state and local governments, and advocates also should do more to reduce unhealthy food marketing to all children.

- The U.S. Congress and federal agencies, such as the FTC and the FCC, could enact laws or regulations to limit advertising in media primarily viewed by children 14 and under. Legal experts argue that food marketing to children is inherently misleading due to children’s inability to understand and defend against persuasive appeals, and thus not protected by the First Amendment.
- State and local governments could regulate marketing in local communities, including in schools, publicly-owned facilities, stores, and restaurants, and outdoor advertising. Local governments could enforce existing zoning restrictions on marketing, such as limits on signs in store windows.
• The FTC and states could expand online privacy protections for older children and teens to provide parents with greater control over how companies target their children with marketing messages in digital media.
• Attorneys general could initiate actions under state consumer protection laws and engage in rulemaking where they have such authority.
• Public health advocates could increase efforts to persuade food and media companies to improve youth-targeted food marketing practices through petitions, letter-writing campaigns, and mobilisation of parents through social media.