



Protecting our Children: Restricting Food and Beverage Marketing to Kids

What needs to be done

Heart & Stroke recommends the federal government promptly introduce draft regulations (Canada Gazette Part I) and final regulations (Canada Gazette Part II) to restrict the marketing of food and beverages high in salt, sugars and saturated fats to children. These regulations should be informed by the best available evidence, expert opinion and consultations with stakeholders. The marketing restrictions should be as comprehensive as possible with respect to media, settings, and marketing techniques in order to achieve optimal protection of children's health. The following types of marketing should be considered:

- Broadcast (e.g., television, radio)
- Digital media including social media
- Point of sale (e.g., restaurants, convenience stores, supermarkets etc.)
- Product packaging
- Any advertising within a 250-metre radius of schools
- Cartoon characters (e.g., spokes-characters and licensed characters)
- Brand advertising from companies that produce food and beverages which are predominantly high in salt, sugars and saturated fats
- Digital geo-tracking of children used for targeted behavioural marketing

Strong monitoring will be necessary to assess impact and whether further restrictions are necessary.

Why we need to do this

Canadian diets are dominated by ultra-processed foods which are high in salt, sugars and saturated fats.¹ Children and youth (2-18) get over half of their calories from ultra-processed foods.² Ultra-processed food consumption is highest in children 9-13 years, making up nearly 60% of the calories in their diet.² Poor diets high in ultra-processed foods are linked to an increase in cardiovascular disease, stroke, cancers, and mortality in later life.³⁻⁵ In 2019, dietary risk factors contributed to an estimated 36,000 deaths and the burden of chronic diseases mainly impacted by diet and other modifiable risk factors is \$28 billion annually.^{6,7}

Children's exposure to food marketing plays a critical role in shaping children's dietary behaviors and health. An extensive body of research has shown that food advertising influences children's food preferences, beliefs, and food intake and is a likely contributor to childhood obesity.⁸⁻¹⁴ In response to a policy consultation conducted by Health Canada in 2017, the Canadian food and beverage industry reported spending \$1.1 billion annually on marketing that Health Canada suggested could be restricted to protect children's health.¹⁵ This marketing included food advertising high in sugar, saturated fat and salt in digital media popular with children and on television during children's peak viewing times.¹⁵ Food marketing is designed to appeal to children through product design, the use of cartoon or other characters, fantasy and adventure themes, humour, and through other marketing techniques.⁸ This marketing works – children as young as three are brand aware and can recognize or name food and beverage brands.^{16,17} Children also prefer foods from their favoured brand.¹⁸ Marketing also influences family purchases by prompting kids to pester or nudge their parents to buy promoted products (referred to as “pester power”).¹⁹

In 2019, some children aged 2 to 11 years in Canada viewed an average of 2,234 food and beverage ads on broadcast television alone.²⁰ Over 90% of television ads viewed by these children (for which nutrition data was available) were classified as ‘of concern’ by Health Canada’s proposed nutrition criteria.²⁰ On child- and youth-appealing stations, as many as 7 food ads are broadcast per hour and the most heavily advertised products on these stations are fast food, breakfast food (e.g., cereal, waffles), candy and chocolate, and snacks (e.g., chips, crackers, granola bars).²¹ Canadian children are also seeing an estimated 1,500 advertisements annually on social media sites.²²

In June 2023, the food and beverage industry implemented a new voluntary code to ostensibly limit marketing directed to children.²³ However voluntary codes in Canada and many other countries have not been effective at limiting children's exposure to the marketing of food and beverages high in salt, sugars and saturated fat.²⁴⁻³⁵ In Canada, companies participating in

the previous voluntary code (2007-2019) were found in some instances to advertise more heavily in media intended for or preferred by children than non-participating companies^{35,36}. One study examining food and beverage advertising on websites popular with children in Canada found that ads from companies that followed Canada's previous voluntary code were 2.5 times more likely to be classified as ‘less healthy’ than ads from companies who did not adhere to this code.³⁵ The food and beverage industry asserts that its new voluntary code meets or exceeds Health Canada's policy proposal from 2018 and replicates advertising restrictions in Quebec where companies are not allowed to explicitly target children under 13 years in advertising placed in various media and settings (e.g. television, magazines, digital media, schools).³⁷ However, the revised industry code falls short of Quebec's restrictions in many ways. For instance, its definition of what constitutes child-directed advertising content is narrower than Quebec's law. Furthermore, the code's many loopholes and its voluntary nature allows companies to continue to advertise products high in salt, sugars, and saturated fat using child-appealing marketing techniques and in media specifically intended for children.

Why now

COVID-19 has underscored the urgent need for comprehensive and mandatory marketing regulations. A third of people in Canada (35%) increased their consumption of junk food or sweets just three months into the pandemic.³⁸

Restrictions on marketing to children are among the most cost-effective and impactful childhood obesity interventions.³⁹⁻⁴¹ An Australian study estimated that restricting the advertising of food and beverages high in sugars and fat on television would cost the government AU\$ 0.54 per child per year to monitor and enforce the restrictions but would result in AU\$133-484 million in net savings in health-related expenses.³⁹ A US study estimated that a television fast food advertising ban could reduce the number of children (3-11) who are overweight by 18%.⁴² An analysis of Quebec's marketing legislation found that French speaking households with children had a 13% lower propensity to consume fast food than English speaking households with children.⁴³ English speaking households in Quebec spent more time watching unregulated English broadcasts originating from the US.⁴³ The difference in the propensity to consume translated to 13.4 billion fewer fast-food calories per year.⁴³

People in Canada are largely in support of government action to address marketing to children. In one Heart & Stroke commissioned poll, 80% of Canadian parents in 2023 agreed that it is hard to monitor and control advertising directed to children.⁴⁴ In a clear breach of privacy, children also have their personal identifying information collected from websites and apps for the purpose of targeted online marketing.^{45,46} In the

same poll, seven in every ten Canadians (71%) voiced support for the federal government restricting food and beverage companies from marketing food and beverages high in salt, sugars and saturated fat to children under 13.⁴⁴

Canada has committed to acting in the best interest of Canadian children by signing onto and ratifying the United Nations Convention on the Rights of the Child, an international treaty to recognize and protect children's rights, including the right to the highest attainable standard of health and adequate nutrition.^{47,48} The Government of Canada has also committed to fully implement of Canada's Healthy Eating Strategy, including restrictions on the marketing of food and beverages high in salt, sugars and saturated fat to children.⁴⁹ This commitment to marketing to kids restrictions was included in the federal government's 2015 and 2021 election platforms, several mandate letters and the 2019 federal budget and reiterated in policy consultations held in 2018 and 2023. **These commitments should be formalized with the prompt introduction of draft marketing to kids regulations in Canada Gazette Part I and publication of final regulations in Canada Gazette II.**

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