

Argument Analysis 6: Targeting Kids with TV Ads

There are 2 arguments here, be sure to read both and decide who has the better argument.

Argument 1:

Margo Wootan against targeting kids... *Guidelines for Responsible Food Marketing to Children*

These "*Guidelines for Responsible Food Marketing to Children*" are for food manufacturers, restaurants, supermarkets, television and radio stations, movie studios, magazines, public relations and advertising agencies, schools, toy and video game manufacturers, organizers of sporting or children's events, and others who manufacture, sell, market, advertise, or otherwise promote food to children. The *Guidelines* provide criteria for marketing food to children in a manner that does not undermine children's diets or harm their health. We hope the *Guidelines* will be helpful to parents, school officials, legislators, community and health organizations, and others who are seeking to improve children's diets.

Over the last 20 years, the rates of obesity have doubled in children and tripled in teens. Even for children at a healthy weight, few (only 2 percent) eat a nutritious diet as defined by the U.S. Department of Agriculture. Currently, children's diets are too high in calories, saturated and trans fats, refined sugars, and salt and too low in fruits, vegetables, whole grains, and calcium. This increases their risk of heart disease, cancer, diabetes, osteoporosis, and other serious and costly diseases.

Although children's food choices are affected by many factors, food marketing plays a key role. Studies show that food marketing attracts children's attention, influences their food choices, and prompts them to request that their parents purchase products.

Parents bear the primary responsibility for feeding their children. However, getting children to eat a healthful diet would be much easier for parents if they did not have to contend with billions of dollars' worth of sophisticated marketing for low-nutrition foods.

Parental authority is undermined by wide discrepancies between what parents tell their children is healthful to eat and what marketing promotes as desirable to eat. In addition, while many parents have limited proficiency in nutrition, companies have extensive expertise in persuasive techniques. Companies also have resources to influence children's food choices that parents do not have, such as cartoon characters, contests, celebrities, and toy giveaways.

The *Guidelines for Responsible Food Marketing to Children* apply to children of all ages (less than 18 years of age). Society provides special protections for children, including measures to protect their health, such as requiring use of car safety seats or prohibiting them from buying cigarettes or alcoholic beverages. However, even in the absence of legislative or regulatory requirements, marketers should act responsibly and not urge children to eat foods that could harm their health.

Nutrition Guidelines

Responsible food marketing to children must address not only *how* food is marketed but also *which* foods are marketed to kids. Uniquely, the *Guidelines for Responsible Food Marketing to Children* set criteria for which foods are appropriate to market to children.

Ideally, companies would market to children only the most healthful foods and beverages, especially those that are typically underconsumed, such as fruits, vegetables, whole grains, and low-fat dairy products.

However, nutrition criteria that would allow only marketing of those foods seem unrealistically restrictive. Instead, we recommend a compromise approach. These *Guidelines* set criteria that allow for the marketing of products that may not be nutritionally ideal but that provide some positive nutritional benefit and that could help children meet the *Dietary Guidelines for Americans*.

Some marketing efforts do not promote individual products but instead promote a line of products, one brand within a company, or a whole company. For example, a campaign might encourage children to go to a particular restaurant without marketing a specific menu item. A company logo or spokesperson featured on a hat or Web site might promote a whole line of products. Companies should not conduct general brand marketing aimed at children for brands under which more than half of the products are of poor nutritional quality, as defined below. If multiple products are shown in an advertisement, if one product does not meet the nutrition criteria below, then the advertisement is considered to promote foods of poor nutritional quality.

Beverages

Low-nutrition beverages (as defined below) should not be marketed to children.

Nutritious/Healthful Beverages

- Water and seltzer without added sweeteners
- Beverages that contain at least 50 percent juice and that do not contain added sweeteners
- Low-fat and fat-free milk, including flavored milks and calcium-fortified soy and rice beverages

Low-Nutrition Beverages

- Soft drinks, sports drinks, and sweetened iced teas
- Fruit-based drinks that contain less than 50 percent juice or that contain added sweeteners
- Drinks containing caffeine (except low-fat and fat-free chocolate milk, which contain trivial amounts of caffeine)

Foods

Foods marketed to children should meet all of the following criteria (nutritionally poor choices or low-nutrition foods are those that do not meet the criteria):

Nutrient	Criteria
Fat	No more than 35% of total calories, excluding nuts, seeds, and peanut or other nut butters
Saturated plus trans fat	No more than 10% of calories
Added sugars	Less than 35% of added sugars by weight (added sugars exclude naturally occurring sugars from fruit, vegetable, and dairy ingredients)
Sodium	No more than; 1. 230 mg per serving of chips, crackers, cheeses, baked goods, French fries, and other snack items 2. 480 mg per serving for cereals, soups, pastas, and meats 3. 600 mg for pizza, sandwiches, and main dishes 4. 770 mg for meals
Nutrient content	Contains one or more of the following: 10% of the DRI (dietary reference intake) of (naturally occurring/without fortification) vitamins A, C, or E; calcium; magnesium; potassium; iron; or fiber 2. Half a serving of fruit or vegetable 3. 51% or more (by weight) whole-grain ingredients

Portion Size Limits for Foods and Beverages

Individual items	No larger than the standard serving size used for nutrition facts labels (except for fruits and vegetables, which are exempt from portion size limits)
Meals	No more than one-third of the daily calorie requirement for the average child in the age range targeted by the marketing

"For CARU's guidelines, go to <http://www.carui.org/guidelines/guidelines.pdf>.

*Margo G. Wootan, "Guidelines for Responsible Food Marketing to Children," January 6, 2006. Center for Science in the Public Interest (CSPI).

" January 21395; second printing, January 2006. The full *Guidelines for Responsible Food Marketing to Children* are available online (free of charge) at <http://www.espinet.org/marketingguidelines.pdf>

Marketing Techniques

When marketing foods to children, companies should:

Product Characteristics and Overall Messages

- *Support parents' efforts* to serve as the gatekeepers of sound nutrition for their children and not undermine parental authority. Marketers should not encourage children to nag their parents to buy low-nutrition foods.
- Depict and package/serve food *in reasonable portion sizes and not encourage overeating* directly or indirectly.
- *Develop new products* that help children eat healthfully, especially with regard to nutrient density, energy density, and portion size.
- *Reformulate* products to improve their nutritional quality, including adding more fruits, vegetables, and whole grains, and reducing portion sizes, calories, sodium, refined sugars, and saturated and trans fats.
- *Expand efforts to promote healthy eating habits* consistent with the *Dietary Guidelines for Americans* and to promote *healthful products*, such as fruits, vegetables, whole grains, and low-fat milk. Do not portray healthful foods negatively.

Specific Marketing Techniques and Incentives

- Should not advertise nutritionally poor choices during *television* shows (1) with more than 15 percent of the audience under age 12; (2) for which children are identified as the target audience by the television station, entertainment company, or movie studio; or (3) that are kid-oriented cartoons.
- Not use *product or brand placements*.
- Only offer *premiums and incentives* with foods, meals, and brands that meet the nutrition criteria described above.
- Use/allow *licensing agreements or cross-promotions* (such as with movies, television programs, or video games) or use *cartoon/fictional characters or celebrities* from television, movies, music, or sports to market to children only those foods that meet the above nutrition criteria. This includes depictions on food packages, in ads, as premiums, and for in-store promotions.
- Not put logos, brand names, spokescharacters, product names, or other marketing for low-nutrition foods/brands on baby bottles, children's apparel, books, toys, dishware, or other *merchandise* made specifically for children.
- Incorporate into *games* (such as board, Internet, or video games), toys, or books only those products and brands that meet the nutrition criteria.
- Use *sponsorship* of sporting, school, and other events **for** children only with brands and foods that meet the above nutrition criteria.
- Not exploit children's natural tendency to play by *building entertainment value into low-nutrition foods*.

Additional Guidance for Schools

- Schools are a unique setting. Companies should *support healthy eating in schools and not market, sell, or give away low-nutrition foods or brands anywhere on school campuses*, including through logos, brand names, spokescharacters, product names, or other product marketing on/in vending machines; books, curricula, and other educational materials; school supplies; posters; textbook covers; and school property such as scoreboards, signs, athletic fields, buses, and buildings; educational incentive programs that provide food as a reward (for example, earning a coupon for a free pizza after reading a certain number of books); incentive programs that provide schools with money or school supplies when families buy a company's food products; in-school television, such as Channel One; direct sale of low-nutrition foods; and school fundraising activities.
- Should *not mislead children regarding the emotional, social, or health benefits of a product or exploit children's developmental vulnerabilities and emotions* to market any food.

Argument 2:

Robert Liodice defending targeting kids

"Robert Liodice, "Advertising and Freedom of Speech; Beware of the Food Nanny," January 24, 2005, http://anablogs.com/liodice12005/01/america-free_sp.html.

Free speech is the most important and fundamental right we have as Americans. It is the foundation for the free exchange of ideas and ideals that drives the lifestyles and livelihoods in this most free of countries. Free speech is the basis of choice and personal responsibility. Without the free exchange of information, we limit the ability of Americans to be fully informed to make the choices that are inherently theirs to make. When those freedoms are jeopardized, we all lose. When you begin to chip away, even marginally, at those freedoms, we all run the risk of sliding down that slippery slope of diminishing rights and privileges. That is why I felt most compelled to address the recent release of the "Guidelines for Responsible Food Marketing to Children" (PDF) by the Center for Science in the Public Interest (CSPI).

I am rather stunned that CSPI—or any organization for that matter—would suggest restricting or modifying the free speech of perfectly legal enterprises as an approach to solve a problem. We all recognize that there are a host of societal issues—childhood and adult obesity stands out as one of the most "curable" of them all. But seeking a cure should not follow the path of trampling on our core rights and privileges of Americans. Without question or argument, there are a range of reasonable alternatives and approaches that can be considered and aggressively pursued—and they should [be pursued] with full vigor. But trampling on the First Amendment, whether through government controls or unsupported self-regulatory edicts, should not even be on anyone's radar screen—as a way to solve problems. Accordingly, I have addressed CSPI's "guidelines" in today's *Ad Age* editorial.

Last week the Center for Science in the Public Interest (CSPI) did something that was neither based on science nor beneficial to the public interest. They released a set of ill-conceived, heavy-handed food marketing guidelines. [On the basis of] flawed data and backed by the threat of lawsuits, they intend to

coerce the food and marketing industries to conform to their misguided views of what constitutes good nutrition and what represents appropriate commercial communication with consumers.

In issuing these guidelines, CSPI misstates the facts about food advertising and childhood TV viewing; they overlook the broad array of factors—beyond marketing—that influence childhood food consumption; they disregard the significant efforts of food companies to enhance the nutritional content of their products; and they ignore the fact that food and other advertising are already among the most stringently regulated areas in the United States.

Styling themselves as the nation's food nanny, CSPI has proposed a set of extraordinarily overreaching regulations, which specify acceptable nutritional content, portion size, packaging design and logo use. They further seek to control communications in TV shows, video games, web sites, and books. And they attempt to dictate use of premiums, incentives, licensing arrangements, cross-promotions, sponsorships and even the aisles within supermarkets where food products are displayed!

The guideline specifics are ridiculously restrictive. For example, children are defined as "anyone under 18;" low-nutrition beverages are defined as "drinks with less than 50 percent real juice;" and banned TV shows are those "for which more than a quarter of the audience is children." They are an affront to and broadside attack on—the marketing freedoms of food and restaurant businesses, broadcasters, entertainment companies, and the entire marketing industry,

We won't be intimidated! Nor will American consumers who—unlike CSPI—recognize the importance of personal and parental responsibility, public education, dietary balance and moderation and, of course, physical activity in addressing the issues of childhood nutrition and obesity.

So let me specifically address the major flaws inherent in CSPI's guidelines.

First, CSPI speciously claims that the amount of marketing aimed at kids has doubled in the last ten years. In examining measured media, however, a detailed study by Nielsen Media Research covering the period of 1993 to 2003 concludes otherwise. Adjusting for inflation in order to hold the value of dollars constant, real expenditures on food and restaurant advertising on television (including cable) fell over this ten-year period. Furthermore, the actual number of food ads seen by children under 12 declined by 13 percent from the first four years of this period to the last four years. Rather than being increasingly bombarded by restaurant and food advertising, as CSPI would have people believe, kids 12 and under are actually seeing fewer food and restaurant ads today.

Second, CSPI's report states that "parents bear the primary responsibility for feeding their children." However, the guidelines then ignore this point and the fact that adults make the vast majority of food purchases for their families, particularly for younger kids. They also disregard what the majority of food experts inherently know: that the best way to encourage good childhood nutrition is to promote healthy, well-balanced diets, rather than attempting to characterize some products as "good foods" and others as "bad foods." When other countries have attempted to ban or severely restrict children's advertising, those efforts have consistently failed to lower obesity rates in comparison to countries where there are no such restrictions.

Finally, let's take a look at the significant, positive steps the food and marketing industries are taking—and have historically taken—to address the special concerns of children. Thirty years ago,

the marketing industry established the Children's Advertising Review Unit (CARU) specifically to recognize that material which might be truthful and non-deceptive for adults could still mislead young people. CARU created a detailed code, available at www.caru.org/guidelines, which proactively works to [ensure] that children are not taken advantage of in the advertising marketplace. CARU diligently carries out its own monitoring and receives complaints from regulators, consumer advocates, Attorneys General, competitors, and the public at large. The record of industry compliance with CARU's guidelines demonstrates an extremely high level of effectiveness.

Equally important are the many, significant steps that food and restaurant companies are taking to bring healthy new offerings to market. For example, they are reformulating products to be lower in cholesterol, fat, and calories.

They are removing trans fats, reducing sodium and sugar content, introducing whole grains, and offering more milk products and salad menu items.

There is no question that childhood nutrition and obesity are serious societal issues. However, as the Surgeon General concluded in his groundbreaking 2001 report, "There is no simple or quick answer to this multifaceted challenge." Unlike CSPI's guidelines which mislead the public by narrowly focusing on food advertising, the Surgeon General's report contains thoughtful, specific recommendations on how to address the challenge in a balanced, comprehensive way. It further calls on all of us—companies, individuals, families, schools, governments and the media—to work together in ways that will bring better health to everyone in this country. We accept this challenge and stand ready to collaborate with all other interested, responsible parties to identify solutions that will truly work.