

EACA Submission to the Green Paper “Promoting healthy diets and physical activity: a European dimension for the prevention of overweight, obesity and chronic diseases”

The European Association of Communications Agencies (EACA) is the Brussels based organisation representing full service advertising agencies and agency associations across Europe. EACA promotes truthful, honest and responsible advertising, as set out in the EACA Code of Ethics.

EACA welcomes the opportunity to comment on the Commission Green Paper “Promoting healthy diets and physical activity: a European dimension for the prevention of overweight, obesity and chronic diseases”.

The main purpose of the Green Paper is to reduce the currently growing levels of overweight and obesity in Europe, by promoting healthy diets and physical activity.

1) Promoting healthy diets

What is a healthy diet? Nutritionists agree that it is based on a wide variety of foods to ensure a balanced diet over time. The human body needs so many different nutrients none of which co-exist all together in one type of food, that it is indeed necessary to have a varied diet.

Therefore it seems scientifically nearly impossible to categorise which foods are “good” or which foods are “bad”. The FSA nutrient profiling system, recently adopted in the UK, tries to categorise foods via a mathematical calculation that divides foods into “healthier choices” and “high in saturated fat, salt and sugar” or rather unhealthy.

The UK Food and Drink Federation¹ has applied the model to a list of existing foods and found some surprising results. Cheeses such as mozzarella, Edam and cheddar would be in the “high in saturated fat, salt or sugar” group, whereas foods such as fish topped pizza, potato waffles or French fries from fast food outlets would be the “healthier option” which seems rather nonsensical from a nutritional point of view.

The UK Food and Drink Federation argued that some of the foods which would come in the less healthy food category are valuable sources of nutrients for many children. Foods having a high energy density and therefore defined by the model as a poor nutritional choice include dairy foods, cereal foods and meat dishes which provide valuable nutrients for growing children.

¹ UK Food and Drink Federation, Position on the Food Standards Agency’s Nutrition Profiling Model, www.fdf.org.uk

If such a model were used in the proposed Health and Nutrition Claims Regulation, only foods being the “healthier choice” would be allowed to use health and nutrition claims.

We do not think this would correctly reflect the Commission's intention of promoting the consumption of a varied and healthy diet. Nor do we think it is desirable to categorise foods into “bad” or “good” as particularly children and adolescents sometimes have a marked tendency to oppose adult advice and adopt a daring and risk-taking attitude in terms of lifestyle choices (foods, alcohol, smoking, sex).

Rather than demonising certain types of foods, EACA believes that promoting healthy diets can be undertaken in a more convincing and positive manner. For that reason EACA has proposed its members' creative know-how in the project for a collective campaign, to be organised within the framework of the European Platform for Action on Diet, Physical Activity and Health, of which EACA is a member.

2) The role of food advertising in a healthy diet

The actions suggested by the Commission in its Green Paper presumably aim to have a positive, probably measurable, effect on EU citizen's diets. One of these actions seems to be based on the reduction of advertising of “energy dense and micronutrient poor” foods:

“Are voluntary codes (self-regulation) an adequate tool for limiting the advertising and marketing of energy dense and micronutrient poor foods? What would be the alternatives to be considered if self-regulation fails?”

“How can effectiveness in self-regulation be defined, implemented and monitored?”

Advertising aims to make consumers aware of the existence of new products and their specific attributes and qualities, its main role is not to define consumers' diets. It is the role of parents to establish a healthy dietary pattern in the family and teach children how to make healthy choices.

It is generally assumed that children are particularly vulnerable to advertising and that advertising would therefore have more effect on them than on adults. Professor Hastings in his recent research², was unable to show that the direct influence of food advertising on children's food preferences exceeds 2%, at best.

EACA does not believe that limiting the advertising of certain types of food is the most adequate tool to improve European citizen's diets, but rather that responsible food advertising, as defined by a recently adopted self-regulation code³ on food and beverage advertising, may help in encouraging healthier lifestyles.

² Hastings G.B. et Al, Review of research on the effects of food promotion to children, 2003, University of Strathclyde Centre for Social Marketing, prepared for the Food Standards Agency

³ Principles of Food and Beverage Product Marketing Communications, 2005

3) The role of self-regulation in promoting responsible advertising

EACA and its members believe that responsible advertising is legal, decent, honest and truthful. Legal means that advertising must comply with existing legislation, whereas “decent, honest and truthful” are ensured by compliance with self-regulatory codes.

EACA supports the view that self-regulation works best where it is supported by a legal framework.

At EU level, advertising is already subject to a detailed set of rules⁴ which prohibit misleading advertising, limit the quantity of advertising on television and regulate the content of advertisements on television and other media.

In terms of food advertising, the ICC Framework for Responsible Food and Beverage Communications⁵ sets international standards. These are complemented by the Principles of Food and Beverage Product Marketing Communications, adopted by the European food and beverage industry in 2005. These principles include provisions that oblige advertisers:

- Not to undermine healthy, balanced diets and healthy, active lifestyles;
- Not to encourage or condone excessive consumption;
- Not to represent snack food products as substitutes for meals;
- Not to undermine the authority of parents.

EACA committed itself to supporting and developing the European Self-Regulatory system by signing the EASA Self-Regulation Charter⁶ in June 2004, together with the European advertisers and media. The Charter establishes ten principles for effective self-regulation:

1. Comprehensive coverage by self-regulatory systems of all forms of advertising and all practitioners.
2. Adequate and sustained funding by the advertising industry proportionate to advertising expenditure in each country.
3. Comprehensive and effective codes of advertising practice:
 - Based on the globally accepted codes of marketing and advertising practice of the International Chamber of Commerce (ICC)
 - Applicable to all forms of advertising
4. Broad consultation with interested parties during code development.
5. Due consideration of the involvement of independent, non-governmental lay persons in the complaint adjudication process.

⁴ Misleading Advertising directive 84/450/EEC, Television Without Frontiers directive 89/552/EEC amended by directive 97/36/EC, Unfair Commercial Practices directive 2005/29/EC.

⁵ www.iccwbo.org

⁶ www.easa-alliance.org

6. Efficient and resourced administration of codes and handling of complaints thereon in an independent and impartial manner by a self-regulatory body set up for the purpose.
7. Prompt and efficient complaint handling at no cost to the consumer.
8. Provision of advice and training to industry practitioners in order to raise standards.
9. Effective sanctions and enforcement, including the publication of decisions, combined with efficient compliance work and monitoring of codes.
10. Effective awareness of the self-regulatory system by industry and consumers.

Since 2004, all EASA members and signatories of the Charter have worked together to implement its provisions in the Member States. Changes and improvements cannot be achieved overnight and need repeated efforts and sustained commitment to the task.

EACA welcomes the Commission initiative to set up the Advertising Round Table which aims to increase stakeholder trust in self-regulation and obtain agreement on the criteria for what constitutes “effective” self-regulation and how it can be best monitored.

4) Advertising to children and European media literacy programmes

The Green Paper also asks following question:

“Which measures should be taken towards ensuring that the credulity and lacking (sic) media literacy of vulnerable consumers are not exploited by advertising, marketing and promotion activities?”

Existing EU legislation prohibits advertising that would “exploit the credulity and inexperience of children” on television in the Television Without Frontiers directive and on all other media in the Unfair Commercial Practices directive which is currently being implemented in all Member States.

EACA has issued “Ethical Guidelines for Advertising and Children”⁷ to help its members better understand the issue and create advertising that respects children’s sensitivities and different stages of development.

To allow children to better understand and analyse the commercial intent of advertising, media literacy programmes have been developed in schools. EU Media and Information Society Commissioner Viviane Reding has asked Member States’ support⁸ for such initiatives.

⁷ www.eaca.be

⁸ Recommendation on the protection of minors and human dignity and the right of reply in relation to the competitiveness of the European audiovisual and information society services industry COM(2004)341 final, Article I(2)

EACA has been playing an active role in supporting the setting up of the European media literacy programmes, based on the UK Media Smart model.

Media Smart, launched in 2002 in the UK, is a non-profit media literacy programme, focusing on advertising, for school children aged 6 to 11 years. Media Smart develops and provides, free of charge, educational material to primary schools that teach children to think critically about advertising in the context of their daily lives. The programme uses real advertisements, including examples of food and beverage advertising, to teach core media literacy skills.

Over 40% of UK children know about Media Smart and 1 million UK children have been taught with Media Smart material. Over 8000 UK primary schools use the programme's teaching material and nearly 90% of their teachers ask for more. UK broadcasters have donated over £2.5 million airtime to show the Media Smart infomercial.

The programme is now successfully expanding to other Member States, such as Belgium, Germany and the Netherlands.

5) Conclusion

EACA does not believe that limiting the advertising of certain types of food would be an appropriate and effective solution to improve EU citizen's diets.

It is not the role of self-regulation to limit advertising; self-regulation codes lay down rules on the content of advertisements.

We believe that responsible food advertising, based on self-regulation codes within a legal framework, can have a positive effect on EU citizens' lifestyles.

EACA also believes that the proposed collective campaign planned within the framework of the European Platform for Action on Diet, Physical Activity and Health, where EACA members will provide the creative know-how, will, in conjunction with other existing and planned projects within the same framework designed to meet specific target audiences in a direct and local way, prove the most effective tool for the promotion of healthy diets and physical activity in Europe.

15 March 2006.

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