



**A EUROPEAN PLATFORM FOR ACTION  
ON DIET, PHYSICAL ACTIVITY AND HEALTH  
9 March 2017  
10.00 – 17.00**

**FINAL MINUTES**

**1. INTRODUCTION BY THE EUROPEAN COMMISSION**

The meeting was opened by **the Chair**, who welcomed the participants and introduced the agenda which focused on two activity areas of the Platform: 'Marketing and advertising' and on initiatives to promote healthier diets.

The Chair welcomed the representatives of Iceland, France, Lithuania, Romania, the Netherlands, Czech Republic, Cyprus and Greece to the meeting.

The draft agenda was adopted and the **European Cyclists' Federation (ECF)** made a brief announcement on the EU cycling strategy they are working on.

**2. WHAT IS NEW**

The **Joint Research Centre (JRC)** provided an overview of scientific news and developments in the fields of nutrition and physical activity, including as the White Paper on the future of the EU, the final conference of CHRODIS, the joint action in the area of chronic diseases, and two public consultations (on nutrition and health claims, and on modernising and simplifying the Common Agriculture Policy).

**FoodDrinkEurope** requested the Commission to make all presentations available beforehand in order to allow members to prepare and to contribute to the discussion. The **Commission** replied that all invited speakers are always asked and reminded to send in their presentations at least two weeks before the meeting.

**3. DISCUSSION SESSION ON MARKETING AND ADVERTISING**

**3.1 HOW TO EMPOWER CHILDREN TO COPE WITH EMBEDDED (FOOD) ADVERTISING**

The **University of Ghent** provided an overview of project work, which included: how new advertising formats are affecting children, what legal and self-regulatory initiatives should be taken to protect children against the negative effects of advertising, which ad labels should be integrated (e.g., on websites, games, television, etc.) to help children recognise advertising, how educational packages can be developed to make children ad literate and which awareness campaigns (e.g., design of a serious game to raise awareness on advertising literacy) can be effective in empowering children to cope with advertising.

There are more and more new advertising formats which makes it more difficult for consumers, especially children, to distinguish these persuasive messages.

Following questions by the **Association Of European Cancer Leagues (ECL)**, the **International Baby Food Action Network (IBFAN)**, the **European Public Health Alliance (EPHA)** and the **European Heart Network (EHN)** about conflicts of interest and whether the study was funded by industry the University of Ghent provided further explanations. They acknowledged that their work is supported by the Media Smart Initiative and that industry is on board to better understand self-regulation and marketing understanding. They maintained that research that looks into the effects of media training in the long run is still necessary.

### **3.2 POLISH EXPERIENCE AS AN EXAMPLE OF EFFECTIVE SELF-REGULATION FOR FOOD ADVERTISING TO CHILDREN**

The **Polish Federation of Food Industry (PFPZ)** gave an update of the situation in Poland as an example where self-regulation has produced results. PFPZ mentioned that in 2012 they succeeded in modifying basic self-regulation of advertising in the Polish market titled 'Code of Ethics in Advertising' incorporating therein an appendix titled 'Standards of Food Advertising targeting Children', reflecting the EU Pledge. The Code of Ethics in Advertising applies to both the advertisers and the broadcasters. The self-regulation was officially signed and announced by the Broadcasters and the National Broadcasting Council in October 2014 and since January 2015 commercial communication are the subject to the rules as stated in the agreement. The rules have been officially endorsed by the Ministry of Health.

## **4. UPDATE ON RECENT INITIATIVES**

### **4.1 UPDATE BY ANSES**

The **French Agency for Food, Environmental and Occupational Health and Safety (Anses)** is coordinating work package 5 'Nutritional information' of the Joint Action on Nutrition and Physical Activity (JANPA). One of its deliverables is a nutritional composition database. Anses presented the food classification system that has detailed information, e.g. breakfast cereals (9 different families) and soft drinks (14 families), and there are very different nutritional compositions within these families. The research results are expected to be available in September.

**FoodDrinkEurope** re-emphasised the need to conduct national dietary surveys in order to target reformulation efforts and direct them where these can have greater impact in relation to product categorisation. They suggested that consumer insights could be an important starting point; national specificities must be taken into account. They also asked what the European Commission foresees in its budget 2017-2018 to support the EU Platform, e.g. support for companies to help them overcome barriers to reformulation.

**DG Sante** replied that Member States could perhaps advance with updating their own food surveys. Possible cooperation with EFSA and DG RTD could perhaps be explored.

**Nestlé** suggested that at European level a joint procurement could perhaps help to access commercially available databases more efficiently.

**Anses** agreed that there is a need to get information from market research and that data on market shares is needed.

**DG Sante** replied that joint procurement is a very complex and lengthy process.

#### **4.1 UPDATE BY DG SANTE**

**DG Sante** provided an update on the two Member States led reformulation groups, mentioning that there has been agreement on using the JANPA methodology to monitor reformulation initiatives at national level. This methodology should cover all ingredients and use the information present on labels.

At yesterday's meeting, the High Level Group had asked DG Sante to pass on two calls to the EU Platform. The members were firstly asked to keep in mind that our younger citizens (EUs future workers) should be better protected from aggressive marketing and advertising. The second call was a request to provide food information in a user friendly format that can help the public health authorities with their reformulation monitoring activities. This should ideally also include information on market shares.

**FoodServiceEurope (FSE)** asked for an update on the mid-term evaluation of the Action Plan on Childhood Obesity and expressed its regret that the deadline to give input to the technical report on public procurement of foods for schools was short.

**DG Sante** replied saying that the evaluation of the Action Plan on Childhood Obesity highlighted that there was room to improve in some fields, e.g. on reducing marketing pressure on children, where actions need to be stepped up. DG Sante recognised the short time for stakeholders to give feedback on the school food procurement report, however this was mainly due to requirements related to the Presidency; the majority of the comments were taken into account and as the report is to remain a living document, comments in future are welcome.

#### **5. PROMOTING HEALTHIER DIETS THROUGH EVOLVED NUTRITION LABELLING**

**The Coca-Cola Company, Mars, Mondelez, Nestlé, PepsiCo and Unilever** announced their determination to put in place a nutrition labelling scheme that helps consumers make balanced and mindful choices. The 6 companies currently represent 13% of the packaged food markets. A taskforce has been launched which looks into integrating portion sizes in the existing colour-coded reference intake scheme. The companies asked for feedback to identify a credible and workable solution.

**France** mentioned that this is an important topic and underlined the importance of having one system. France presented an update of their national food labelling tests, that started in September 2016 and during which more than 3 million receipts were analysed. The results are expected the next week. For France it is important that such a system helps to improve the consumer basket and to ensure that there is no increase in social inequalities.

**Copa-Cogeca** noted that in their opinion not all products should have a label.

**FoodDrinkEurope** clarified its position underlining the benefits of a coordinated EU-wide approach. Any nutritional labelling scheme must be based on sound science and must be evaluated as to its objectives.

The suggestion of using portion sizes as a reference rather than 100 g prompted criticism from several EU Platform members.

**EuroHealthNet** warned that smaller portion may have a negative impact on purchasing power.

The **European Consumers' Organisation (BEUC)** welcomed colour coding in general but noted that the proposal by the 6 companies may not allow comparison and seems to increase the products with an orange and green colour. They expressed concern that this system could mislead consumers.

**EHN** mentioned that the proposal is problematic as it uses portion size for colour schemes. They understand the call by France for one system.

**WHICH** underlined the importance that consumers understand any colour scheme.

**Mars** called for an enhancement of the UK traffic light scheme and said that this could be explored by the EU Platform.

**Mondelez** underlined their openness to incorporate the French position and the results of upcoming studies into the process.

## **6. OTHER INITIATIVES TO PROMOTE HEALTHIER DIETS**

### **6.1 FRAMEWORK FOR COMMITMENTS**

**FoodDrinkEurope** presented the concept of their framework commitment, introduced in 2015, which aims to promote the local, national and European industry initiatives in the area of diet, nutrition and health.

There are currently framework commitments in the areas of reformulation, consumer information, marketing, and promoting healthy lifestyles. The website 'Eat and Live Well' includes over 150 passes case studies and actions.

### **6.2 ENGAGEMENTS IN THE NUTRITION AND HEALTH DEBATE**

**Caobisco** presented the sector's engagements on health and nutrition. They mentioned that over the period 2012-2014 both the production as well as the consumption trends in sugar confectionery, chocolate confectionery and fine bakery wares, remained stable. Their 'mindful eating' initiative promotes different options in design to help consumers control their calorie, sugar and fat intake.

Caobisco mentioned it did not support traffic light system and indicated to be in favour of a harmonised labelling system, and that they internally encourage their members to join the EU Pledge.

Several EU Platform members such as **BEUC** and **IBFAN** highlighted that they did not find it appropriate for industry to get involved in education activities.

## **7. COMMITMENTS IN THE AREA OF MARKETING AND ADVERTISING**

### **7.1. STATE OF PLAY ON COMMITMENTS**

**DG Sante** provided an overview of the Platform commitments. There are currently 304 commitments on the Platform database, of which 94 (31%) are active and 210 are completed

(69%). Six new commitments have been received until now in 2017, of which only two address the Platform priority areas (i.e. food reformulation, marketing and advertising, and physical activity).

There are currently 36 commitments with marketing and advertising as their selected activity type i.e. 11.8% of all commitments. Of these 14 remain active and 22 are completed. To-date, no new commitment within this area of activity has been submitted for 2017. Since 2014 only one new commitment has been submitted in this area.

## **7.2. COMMITMENTS IN THIS AREA**

### **7.2.1 THE EU PLEDGE: MONITORING RESULTS AND NEXT STEPS**

The **World Federation of Advertisers (WFA)** presented the 2016 monitoring results of the EU Pledge conducted in 8 sample EU markets (France, Germany, Hungary, Italy, Poland, Portugal, Spain and Estonia). The overall compliance was found to be 98,5%.

They also presented the ebiquity pilot methodology to research what children are being impacted with online in terms of ads. To this end three avatars were built and directed to 500 sites during two week in the United Kingdom. The detected breaches (Mondelez, Nestlé) were addressed.

WFA also presented the next steps, including

- Implementation of guidance tool kit to reduce grey zones of interpretation of the rules;
- Launch of accountability programme (complaints can be submitted) by the end of this year;
- Introduction of improved common nutritional criteria; and
- Extending the geographical expansion, including by gathering more local actors.

**IBFAN** asked whether any sanctions were applied to companies that violated the EU Pledge.

**EPHA** expressed its doubts on the effectiveness of self-regulation and pointed to last year's academic study of the effectiveness of the EU Pledge in Germany that showed that food self-regulation cannot prevent the marketing of foods high in fat, salt and sugars to children and that an effective regulatory framework was urgently needed. EPHA highlighted the difference between the critical academic views and the summary presented by the EU Pledge.

**WFA** replied that the German research looked at marketing using not the EU Pledge criteria.

**WHICH** highlighted the question on how to protect children from marketing reaching children via bloggers and vloggers.

**EHN** expressed its desire to see ambition among the signatories of the EU Pledge to reduce the 35% threshold for children's audiences.

**IBFAN** expressed general doubts about the ebiquity findings.

**DG Sante** mentioned that the remit of action of the EU Platform cannot solve all problems but that we should use the EU Platform to the best extend possible. DG Sante has been in touch with WFA and the EU Pledge secretariat to promote progress (e.g. on the way of auditing, addressing grey zones, introducing a complaint system and enlarging membership). DG Sante will keep on playing this role. The next big challenge will be effectively addressing digital marketing.

## **7.2.2 EXAMPLE OF GOOD PRACTICE IMPLEMENTATION OF THE EU PLEDGE**

**Mars** presented its core principles on responsible marketing, e.g. no use of celebrities and licensed characters, and no promotion alongside alcohol and tobacco brands. It was the first company to stop marketing to under 12 years-olds and uses as audience threshold of 25% of children under 12 years (whereas the EU Pledge uses 35%). Mars advised that, in order to be successful, it is key for companies to get the colleagues from the marketing department on board.

**The Chair** congratulated Mars on its progressive approach.

According to **Mars** the marketing of their product M&Ms is targeting adults. **Ibfan**, however, added that in their opinion these are clearly child-oriented figures.

## **7.3. OTHER ACTIONS IN THIS AREA**

### **7.3.1. RELEVANCE TO THE EU OF THE WHO GUIDANCE ON ENDING INAPPROPRIATE MARKETING OF FOODS FOR INFANTS AND YOUNG CHILDREN**

**IBFAN** highlighted in their presentation that the International Code of Marketing of Breast-milk Substitutes, endorsed by all EU Member States, and subsequent World Health Assembly resolutions, protects all children from unsafe products and misleading marketing. In their opinion self-regulation does not reduce the extent and impact of marketing and undermines governments' resolve to legislate. **IBFAN** called for the ending of inappropriate promotion of foods for infants and young children and for governments to ensure enabling environments and policies free from commercial influence.

**EuroHealthNet** highlighted the difficulty to promote exclusive breastfeeding and at the same time not having maternity leave. They called for a more comprehensive approach at EU level.

**IBFAN** asked for information on the discussions held at the High Level Group on the Romanian law on marketing of breastfeeding substitutes. The **Commission** mentioned that it had convened **IBFAN**'s statement in relation to this Romanian law and to the obligations of countries to implement the International Code of Marketing of Breast-milk Substitutes and resolutions.

### **7.3.2. FOOD MARKETING TO CHILDREN: GAME OVER? AN INTRODUCTION TO BEUC'S NEW CAMPAIGN**

In order to protect children from aggressive marketing of foods high in fat, salt and sugar, **BEUC** informed that they have started a campaign. They asked for the EU Pledge to be reshaped and tightened as children still remain exposed to too much advertising of food high in fat, salt and sugars. In their view the EU Pledge needs to align with the WHO Europe's nutritional criteria and to stop using licensed media characters and brand mascots on packaging. Parallel, **BEUC** called upon governments to move from self-regulation to co-regulation.

**FoodDrinkEurope** asked whether BEUC, besides this campaign, has also put in place initiatives to help consumers to develop media literacy.

**WFA** mentioned that work is ongoing to push companies to establish more ambitious goals and they look forward to future suggestions also by DG Sante.

## **8. ANY OTHER BUSINESS**

**ECF** mentioned that it is in the process of producing a draft EU cycling strategy, to be finalised by the end of June. They asked to present the strategy in more details at the next EU Platform meeting.

**DG Sante** proposed to place on hold the membership of the **European Non-Governmental Sports Organisation (ENGSO)** as they have not provided annual monitoring reports over the last two years for their two commitments, despite several reminders. The Plenary agreed with this and DG Sante will inform ENGSO.

## **9. CONCLUSION**

### **The Chair:**

- concluded that marketing and advertising remains a high priority for the Platform and urged members to develop ambitious commitments to better protect children from aggressive marketing of HFSS foods;
- noted the agreement by the Plenary to place on hold the membership of ENGSO;
- urged all to create an account at the Health Policy Platform;
- reminded participants that the next Platform meeting will take place on 1 June 2017 in Brussels and the members will discuss **reformulation and portion sizes**.