

Q1 What policy approaches have been adopted internationally to restrict food advertising to children?

A1 Various countries have adopted different approaches across the policy spectrum to strengthen food marketing standards for children – ranging from mandatory regulation, government-approved self-regulation to pure self-regulation. On the whole, internationally, government-approved forms of self-regulation by the industry have been the dominant approach.

Policy Approach	Description	Country
Mandatory regulation	Regulation specific to food advertising	South Korea United Kingdom
Government approved self-regulation	Government engage with industry to develop guidelines for self-regulation	Denmark Spain
Encouraging self-regulation	Industry guidelines (government support voluntary pledges developed by industry)	United States

In Singapore, the development of the food advertising guidelines was industry-led and developed through a public-private partnership (via the Committee on Guidelines for Food Advertising to Children). The guidelines are developed for industry self-regulation. This public-private partnership is preferred as it is a win-win approach for both MOH/HPB and the industry in developing minimum standards in food advertising that would protect the well-being of Singapore’s children.

Self-regulation of food advertising for children is also in line with the broader framework of media regulation in Singapore, which is regulated with a light-touch approach.

Q2 Why is the cut-off age for the food advertising guidelines for children at 12 years?

A2 Advertising to children has been of particular concern because young children are just beginning to form their attitudes about food and eating and are particularly susceptible to influences from their environment.

Research has shown that children up to the age of 10 are not yet able to differentiate between advertising and programme content, and not until age 12 are they able to understand the full purpose of advertising. Consequently, it can be able to think critically about the advertisements to which they are exposed.

In addition, dietary habits are formed at an early age, even below the age of 5 years, and are more difficult to change after the age of 11 to 18 years, it is therefore important to inculcate healthy habits from young.

Countries such as Norway and Sweden as well as the province of Quebec in Canada have adopted a similar age cut-off.

Q3 Why are the following excluded from the scope of the guidelines?

- a) **The product itself, including the packaging.**
- b) **Ordinary display in store / at point of sale.**
- c) **Sponsorship, where this only entails the use of the sponsor's name and / or trademark.**
- d) **Use of brand equity characters.**

A3 Product packaging is not covered in the scope of the guidelines as the vast majority of food purchasing decisions are taken by adults and not the children themselves. Hence mothers and adults are the gate-keepers in these situations.

The guidelines do not cover in-store display, point-of-sale display as these are generally not within the control of the brand owners.

Sponsorship where this only entails the use of the sponsor's name and/or trademark will be excluded as it will be challenging to distinguish HFSS brands (high in fat, sugar and salt) from non-HFSS brands, as opposed to distinguishing between HFSS products from non-HFSS products. Sponsorship featuring products will still be governed by the Code.

As brand equity characters are part of a brand's intellectual property, restricting their use would mean that the brand ceases to be the same entity. This approach is in line with that of other countries such as Norway, Spain and Ireland.

Q4 Does an advertisement featuring children automatically mean that it is targeted at children?

A4 It does not necessarily have to mean that such an advertisement is targeted at children. We need to look at the content and context, as well as the marketing execution.

Q5 Does an advertisement featuring families automatically mean that it is targeted at children?

A5 It does not necessarily have to mean that such an advertisement is targeted at children. We need to look at the content and context, as well as the marketing execution.

Q6 The use of toys is mentioned as an example of marketing technique targeted at children. Some toys are meant for adults. How will the food advertising guidelines differentiate that?

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- A6 Consideration is given to whether the toy appeals to children, and if it is used in marketing communications to target children. The Code does not apply to toys that are an inherent part of the product. The definition of toys should not extend to inserts or premiums that are designed for the purpose of promoting education or physical exercise, as well as to toys that are collectibles for adults.
- Q7 The food advertising guidelines apply to all food and beverage products promoted in marketing communications that are targeted primarily at children in any media including outdoor advertising. How would the food advertising guidelines affect marketing efforts for events or performances targeted at children that may not necessarily be held outdoors (e.g. Disney on Ice)?**
- A7 While the food advertising guidelines have an impact on marketing efforts for events that are targeted at children (regardless of whether they are outdoors or not), advertisers can choose to either advertise any of the products under their entire range of products that meet the Common Nutrition Criteria (CNC), or their company brand/logo.
- Q8 Are the food advertising guidelines applicable within schools, and if so, what do they cover?**
- A8 Children aged 12 years and below are the key target group for the food advertising guidelines. As such, food and beverage products that are being marketed in pre-schools and primary schools must meet the Common Nutrition Criteria.
- Q9 Do the food advertising guidelines apply to advertisements placed on moving vehicles?**
- A9 The food advertising guidelines apply to all marketing communications. In determining if an advertisement is targeted at children, we will need to look at the marketing techniques applied.
- Q10 Are the food advertising guidelines applicable to food products appearing on materials promoting events or performances for family viewing? For example, a brochure promoting “Disney on Ice” has on it visuals of potato chips. The company that makes the potato chips is supporting the event.**
- A10 It depends on the execution of the advertisement. In this instance, it could be considered a form of sponsorship if the intent is not to market the food item, but to promote the event “Disney on Ice”, unless the brochure has been done in such a way that it is targeted at children, or that the potato chips are featured as prominently as the images for “Disney on Ice”.
- Q11 Let’s say if a food company holds an event that is targeted at families, how can it make sure that it does not breach the guidelines? And can the company have its food product mascot present to mingle with and entertain the families?**

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- A11 The food company should make sure that their food products that are being featured and promoted comply with the Common Nutrition Criteria. If the mascot is a brand equity character, the use of it falls outside the scope of the Code.
- Q12 If the advertisement is to promote an equipment that makes food products, for example, cupcakes, does the company have to complete the Nutrition Criteria Compliance Certificate (NCCC)? The intent is not to promote the cupcakes.**
- A12 It would not be an issue if the advertisement is not intended to promote the cupcakes. However, it depends on how the advertisement is executed. If it is done in a way that targets children, the food item would have to meet the Common Nutrition Criteria (CNC).
- Q13 If an advertisement shows children making cakes, for example, for their parents, would it be allowed?**
- A13 This is dependent on the creative techniques used. For example, if the children are portrayed happily consuming the cakes excessively in the process of tasting, it is unlikely to be allowed.
- Q14 If an advertisement shows a mother applying chocolate spread on a piece of bread and giving it to her child, is it allowed?**
- A14 Sugar and sugar-based products which include chocolate or chocolate products are under the “Exclusions” category. Products under this category should not be advertised to children 12 years old and below. If the advertisement is promoting the chocolate spread to children, it would not be allowed on children’s dedicated media. Beyond this, the overall creative execution would be taken into consideration.
- Q15 An advertisement promoting a handwash product shows children eating cakes and other food items, creating a mess, before having their hands washed. Is there a need to fill in the Nutrition Criteria Compliance Certificate?**
- A15 If the focus is on the handwash product and the children eating cakes is a minor incidental depiction, there is no necessity to complete the Nutrition Criteria Compliance Certificate (NCCC).
- Q16 Can Healthier Choice Symbol (HCS) products be advertised to children?**
- A16 HCS products can be advertised to children as long as their dietary constitution meets the Common Nutrition Criteria.
- Q17 If the product, e.g. pizza, does not meet the Common Nutrition Criteria, is it necessary to complete the Nutrition Criteria Compliance Certificate (NCCC), when advertising it?**

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A17 No, it will not be necessary to do so. However, it would mean that the marketing techniques employed in creating the advertisement to promote the product should not be targeted at children.

Q18 The code states that only .SG websites will be covered. What happens if a non-SG website features content that does not meet the Common Nutrition Criteria and is targeting children here?

A18 We acknowledge that the Internet is vast, making it almost impossible to monitor and regulate. We decided then on a targeted approach, which is .SG websites. We are aware that many food companies (especially MNCs) have non-SG websites. If they want to target children, they should exercise responsibility to ensure that their food products meet the Common Nutrition Criteria. When reviewing an advertisement, ASAS will also place emphasis on compliance with both the principles and the spirit of the Advisory (see Principles, 1.3 of Advisory).

Q19 Do mobile apps featuring food products that do not comply with the Common Nutrition Criteria need to be revised?

A19 Mobile apps can be downloaded by anybody with a handphone or mobile device. They are just a type of platform. If the food products do not adhere to the Common Nutrition Criteria, they should not be advertised to children, which would be determined by the usage of marketing techniques. The mobile app, if downloaded, can be uninstalled anytime from the handphone.

Q20 What are the nutrient guidelines used to evaluate the suitability of food products to be advertised?

A20 The Common Nutrition Criteria acts as a framework that determines which food and beverage products can be advertised to children. The Common Nutrition Criteria have been drawn up by the food industry, with inputs from HPB. The following 10 categories of food will be covered:

- a) Vegetable and animal-based oils, fats and fat containing spreads and emulsion-based sauces
- b) Fruits, vegetables and seeds, except oil
- c) Meat-based products
- d) Fishery products
- e) Dairy products
- f) Cereal-based products
- g) Soups, composite dishes, main dishes and filled sandwiches
- h) Meals
- i) Edible Ices
- j) Beverages

For each category, the Common Nutrition Criteria are based on a set of “nutrients to limit” and “components to encourage” (nutrients and food groups). The

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“nutrients to limit” – sodium, saturated fat and total sugars; as well as energy limit – are chosen for public health interest as consumption in excess of recommendations is generally not encouraged. As for the “components to encourage”, the choice was made on a category basis, that is pinpointing those positive components most relevant in each category (e.g. fibre and wholegrain in cereal-based products, etc.). In order to be eligible for advertising to children aged 12 years and below, a product will need to meet the criteria for both “nutrients to limit” and “components to encourage” – i.e. a product will not only need to be below the thresholds for “nutrients to limit” and under the calorie limit for its category; it also need to contain the required quantity of “components to encourage” under that category.

In addition to this, there are 2 additional categories:

- **“Exclusions”** (products in these categories cannot be advertised to children aged 12 years and below)

Examples:

- Sugar and sugar-based products (e.g. chocolate, confectionary)
- Carbonated and non-carbonated soft drinks including diet drinks
- Sugar-free gum and sugar-free mints

- **“Exemptions”** (products in these categories have no advertising restriction)

Examples:

- Bottled water
- Low energy drinks (energy \leq 40 kcal per serving, sodium \leq 15 mg/100ml and fat \leq 0g / 100ml)

Q21 What are the key guiding principles underpinning development of the Common Nutrition Criteria?

A21 The key guiding principles underpinning the development of the Common Nutrition Criteria are:

- Scientific basis
- Comprehensiveness
- Clearness and transparency to foster ease of implementation and monitoring
- Reference taken from international initiatives (e.g. European Union (EU) pledge) and while ensuring relevance to Singapore context

Q22 A company has been targeting children using food products that are compliant with the Common Nutrition Criteria (CNC), and driving traffic to a website that features products that do not necessarily adhere to the CNC. Is this acceptable?

A22 Businesses must recognise that they have a role to play in being responsible and ensuring that what they advertise is legal, decent, honest and truthful. When

reviewing an advertisement, the ASAS will also place emphasis on compliance with both the principles and the spirit of the Advisory (see Principles, 1.3 of Advisory).

Q23 If there are several versions of advertisements for the same product, does the company have to submit a Nutrition Criteria Compliance Certificate (NCCC) for each version?

A23 As long as the Common Nutrition Criteria for the food product remains unchanged, there is no need to submit an NCCC for each version.

Q24 What is the lead time for the submission of the Nutrition Criteria Compliance Certificate?

A24 The Nutrition Criteria Compliance Certificate (NCCC) can be submitted together with the advertising materials to the media owner. A copy of the NCCC is to be emailed to the Advertising Standards Authority of Singapore (ASAS) for random audit purpose. The NCCC is a declaration by the advertiser that the food product has met the Common Nutrition Criteria. In the event of a feedback lodged with the ASAS, the media owner will have to produce the NCCC for review. The ASAS will also approach the advertiser to provide documentary evidence (such as independent scientific reports) to support the information declared in the NCCC.

Q25 How do we ensure that advertisers play by the rules since this is a self-regulatory framework?

A25 The ASAS will carry out random checks on advertisements as well as the Nutrition Criteria Compliance Certificates (NCCCs). Advertisers will have to make sure that the NCCC is duly completed, especially if their advertisements are to run on child dedicated media. They will also have to be able to produce documentary evidence, such as independent scientific reports, to substantiate the information declared in the NCCC, when requested by the ASAS. If a food product does not meet the Common Nutrition Criteria (CNC), advertisers have to be careful that the overall execution of their advertisements is not targeted at children. Otherwise, the ASAS will ask for clarification and the advertisement may have to be taken off.

Q26 What happens in cases of non-compliance?

A26 When there is feedback on an advertisement, the ASAS will review it, ask for substantiation where necessary, and then make a decision in accordance with the Singapore Code of Advertising Practice (SCAP). Advertisers may be asked to revise their advertisements, failing which to withdraw them altogether, to avoid providing inaccurate or misleading information. Advertisers who do not comply with the SCAP risk media owners' withholding of advertising space or time, as well as the withdrawal of trading privileges from advertising agencies. There is also the additional sanction of adverse publicity through the publication of details of the outcome of the ASAS' investigation.

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With regard to food advertising to children, the following will help to further encourage compliance:

— Media owners:

- Agreement has been reached with the key media owners (SPH, MediaCorp) which owns over 80% of the total advertising spend that they will not accept promotion of food and beverage products in marketing communications that are targeted at children without a duly completed Nutrition Criteria Compliance Certificate.

— Advertisers

- Similarly, support secured from the Singapore Manufacturing Federation's (SMF) Health and Nutrition Working Group (whereby the participating companies collectively account for approximately 80% of TV advertising spend by the food and beverage industry in Singapore) would help to ensure compliance among the key advertisers.
- For MNCs, compliance officers who submit fraudulent Nutrition Criteria Compliance Certificate to media owners are likely to risk losing their jobs as non-compliance would affect the credibility of their companies.
- For SMEs, the ASAS will work with SMF to train SMEs which wish to advertise food and beverage products to children to promote better understanding of the food advertising guidelines so as to maximise compliance.
- The ASAS will not hesitate to highlight publicly media owners or advertisers which fail to comply with the food advertising guidelines.