



Health  
Canada

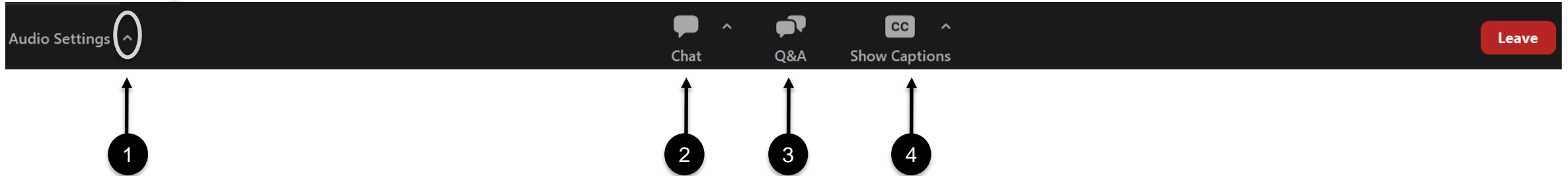
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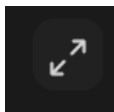
# Policy update on restricting food advertising primarily directed at children

May 11, 2023

# Housekeeping



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# Purpose

- Provide stakeholders with an overview of:
  - The proposed policy for restricting advertising of certain foods that is primarily directed at children (also known as M2K)
  - The cost-benefit analysis survey, which will support regulatory publication in Canada Gazette Part I
- Provide an opportunity for stakeholders to ask questions



# Issue

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- Children are highly exposed, and particularly vulnerable, to food advertising where they live, learn and play (e.g. television, online, restaurants, via packaging)
- Evidence demonstrates that food advertising influences children's food attitudes, preferences, and consumption
- Most of these ads are for foods that contribute to excess consumption of sodium, sugars and/or saturated fat
- Unhealthy diets with excess intakes of sodium, sugars and saturated fat are a key modifiable risk factor for obesity and chronic disease
- Canadian children have diets high in sodium, sugars, and saturated fat
- Nearly 1 in 3 children in Canada is overweight or obese (even higher amongst Indigenous children); these children are at a higher risk for health problems and chronic diseases

# Policy objective

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- Reduce children's exposure to influential food advertising on TV and in digital media, where they spend much of their time and are highly exposed to food advertising
  - This will support healthy food environments and healthy eating behaviours for children by reducing the influence of food advertisements on children's food preferences and purchase requests
  - Together with other healthy eating initiatives, the restrictions will help reduce children's risk of developing overweight, obesity and diet-related chronic diseases by reducing their consumption of foods that contribute to excess intakes of sodium, sugars and saturated fat

# Context

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- M2K is a mandate commitment, and a key initiative under Health Canada's Healthy Eating Strategy, launched in 2016
- As part of the Strategy, Health Canada has already:
  - Released a new Canada's food guide
  - Improved the nutrition facts tables and ingredient lists
  - Published new sodium reduction targets for processed foods
  - Introduced a ban on partially hydrogenated oils, the main source of industrially produced trans fats in Canadian food
  - Introduced new front of package labelling requirements for prepackaged foods high in sodium, sugars or saturated fat

# Context

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- Between 2016 and 2019, Health Canada consulted extensively on a policy proposal to restrict advertising of certain foods to children in different settings and media
- Proposed federal legislation, Bill S-228, tabled in the Senate in 2016, did not come to a final vote before parliament adjourned in 2019
- In June 2021, four major industry associations launched a new self-regulatory code limiting food advertising to children
- Bill C-252 was tabled Feb 2022 and will now go back to third reading in the House of Commons

# Proposed approach



# Proposed approach

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- Health Canada proposes a targeted approach to introducing M2K restrictions
  - Applies to advertisements primarily directed at children under the age of 13
  - Targets television and digital media, where children spend much of their time and are highly exposed to food advertising
  - Excludes brand advertising where no identifiable food is shown or referenced by name
- This approach does not restrict the following forms of advertising:
  - Packaging and labelling, sponsorship
  - Physical settings (e.g. cinemas, retail stores, recreation centres, restaurants)
  - Other forms of media (e.g. radio, magazines)
- Health Canada will continue to monitor food advertising to children and teens, including settings and media where regulations would not apply. This will help inform any future changes

# Media subject to restrictions

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**TV and digital media includes, but is not limited to:**

- Broadcast television
- Video and audio streaming services
- Websites, online games and virtual reality programs
- Social media and mobile applications
- Email and messaging services

# Rationale for targeting TV and digital media

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## Screen time

- Canadian children ages 2-11 spend on average 29 hours weekly watching television, streaming services and YouTube videos, using social media and playing video games

## High exposure

- On average, it is estimated that children ages 2-17 see 5 food ads per day on TV, and children ages 7-11 see 4 per day on social media—in addition to exposure in other media and settings
- For the last three years, children and teens ages 10-17 reported TV/movies and websites/social media as the top sources of food advertising exposure

# Proposed policy

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An advertisement on television or digital media that shows or refers to a food would be restricted if:



1. The ad is considered **primarily directed** at children, and



2. The food has:

- **added sodium, free sugars or added fat, and**
- **exceeds the proposed nutrient thresholds** for sodium, sugars and/or saturated fat



## Defining advertising that is primarily directed at children within television and digital media

Two factors would be considered in determining if an advertisement is **primarily directed at children** (under 13):

- **Factor 1:** The nature and intended purpose of the medium (e.g. TV show, video game) where the ad is communicated
- **Factor 2:** Whether the ad targets, or is reasonably expected to appeal particularly to, children

While the **assessment of factors would be contextual**, advertisements would likely be considered primarily directed at children when they are communicated in:

- media specifically intended for children
- media intended for a general audience and the ad targets, or is reasonably expected to appeal particularly to, children



## Factor 1: The nature and intended purpose of the medium where the ad is communicated

- Not all media are the same – some are intended for a general audience (e.g. a broadcast of a hockey game), while others are specifically intended for children (e.g. a children’s television program)
- A medium would likely be considered specifically intended for children if:
  - It is rated, classified or described as being specifically intended for children, or
  - The subject matter or content of the medium is specifically intended for children or intended to be engaged with by children





## Factor 2: Whether the ad targets, or is reasonably expected to appeal particularly to, children

- Consider the ad's design, characteristics and techniques, as well as the overall context
- Examples of design elements, characteristics and techniques include:
  - Characters, games, celebrities and public figures, incentives and visual design/special effects that are likely to appeal particularly to children
- Digital targeting techniques could also be considered
  - Such as the use of demographic or interest-based information to specifically reach children
- Important to consider the overall context of the ad
  - For example, who is present in the ad and what are they doing?
  - An advertisement can be directed at adults or a general audience despite featuring design elements, characteristics or techniques that may be particularly appealing to children



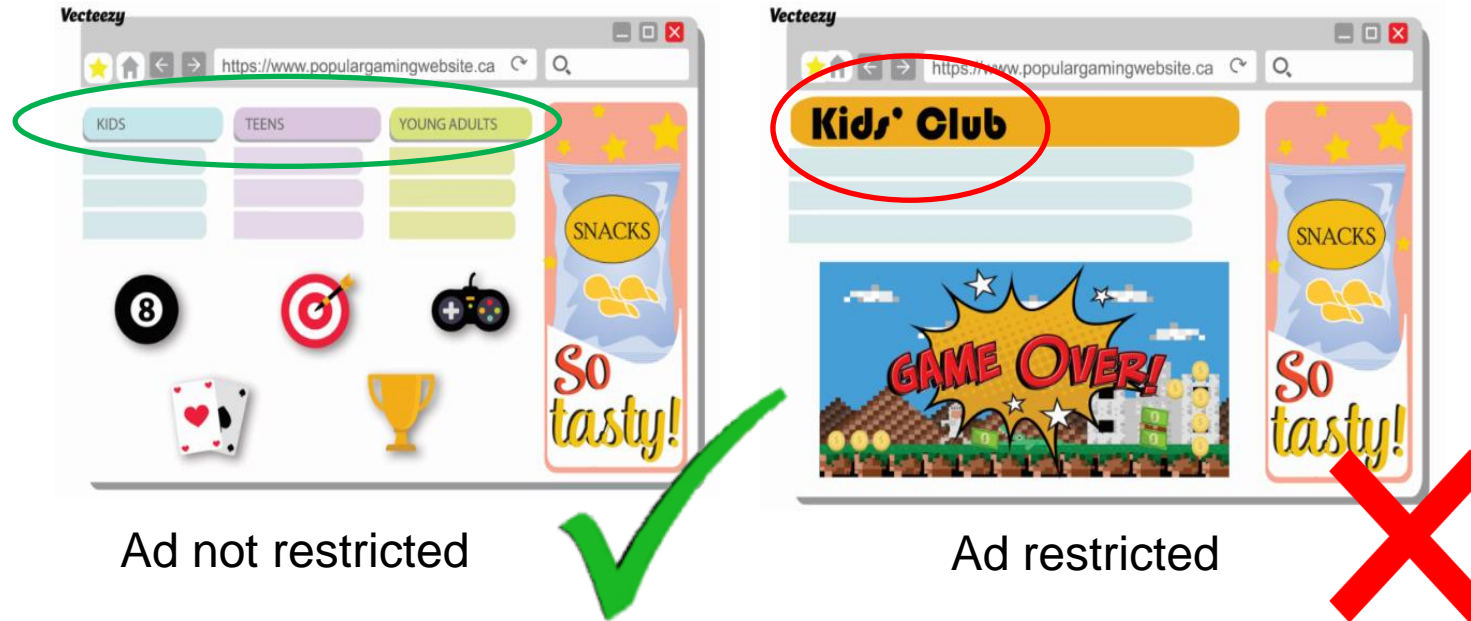
## Define foods that contribute to excess intakes of sodium, sugars or saturated fat

- Food would be subject to M2K restrictions if:
  1. It has added sodium, free sugars, and/or added fat, and
  2. The total amount of sodium, sugars and/or saturated fat exceeds the 'low in' nutrient content claim thresholds (i.e. 6%, 5%, and 10% Daily Value respectively)
- Brand advertisements where no identifiable food is shown or referenced by name would be excluded
- Advertisements for foods recommended in Canada's food guide as an important part of healthy eating would not be restricted.
- This includes:
  - Vegetables and fruits, whole grain foods and protein foods with no added sodium, free sugars, or added fat
  - Other foods or prepared meals and snacks that are 'low in' sodium, sugars and saturated fat
- This approach is highly protective of children's health



# Examples

# Example 1: A banner ad for a salty snack on a website



- The ad could be considered primarily directed at children if it:
  - Appeared on the child-specific section of the gaming site, or
  - Appeared on a gaming website that was specifically intended for children under the age of 13
- It would be restricted because the advertised food has added sodium (salt) and exceeds the proposed nutrient thresholds for sodium

## Example 2: Ad for a sugary beverage on a television broadcast

TV rated for 'C'  
for children



Ad restricted

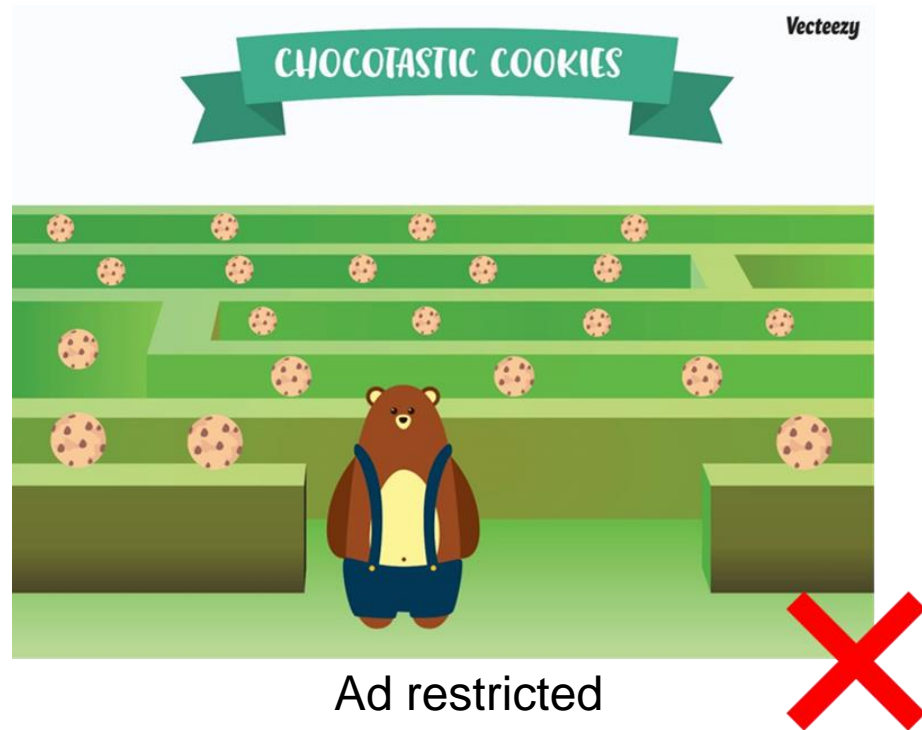


Ad not restricted



- The ad could be considered primarily directed at children if it was broadcast on a television program specifically intended for children
- It would be restricted because the advertised food has free sugars and exceeds the proposed nutrient threshold for sugars

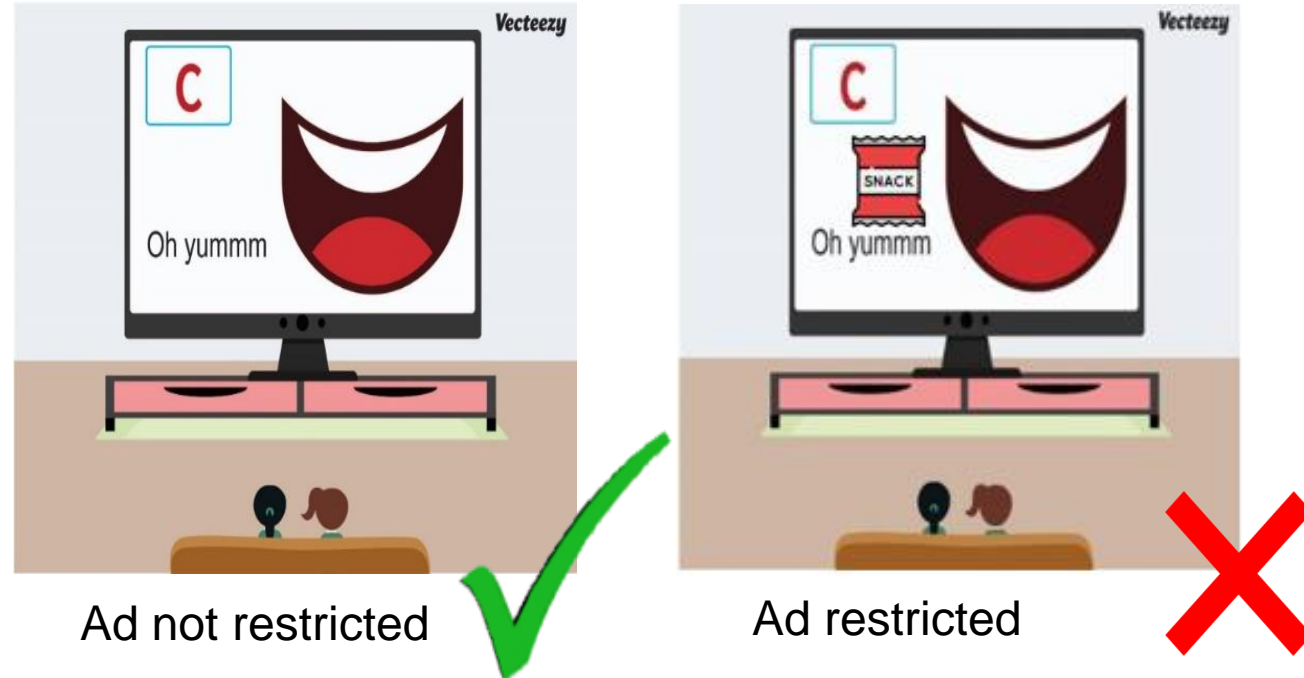
## Example 3: Advergame for cookies



Ad restricted

- The ad could be considered primarily directed at children:
  - Given the child-oriented nature of the advergame and use of the brand's cartoon mascot
- It would be restricted because the advertised food has free sugars and exceeds the nutrient threshold for sugars

## Example 4: Brand advertisement on television



- The food brand advertisement in the picture on the left would not be restricted because it does not show an identifiable food or reference to a food by name
- The advertisement on the right is similar, but it shows a food that can be identified; it would be restricted because it appears during a program specifically intended for children and the food has added fat and exceeds the threshold for saturated fat

# Monitoring

# Monitor the extent and nature of food advertising to children and teens to identify gaps and assess impact

- Health Canada will monitor **media** and **settings** where children spend the **most time**/are more **likely to be exposed** to marketing, **techniques** and additional indicators
- Health Canada will communicate monitoring results to targeted audiences
- Results could support five-year parliamentary review proposed by Bill C-252; particular focus on whether there is increase in food advertising to teens

## Settings



- Retail
- Restaurants
- Recreation facilities
- Schools

## Media



- Television
- Digital

## Techniques



- Sponsorship
- Packaging
- Branding

## Additional Indicators



- Changes in attitudes, health and behaviours of parents and children
- Corporate behaviours

# Cost benefit analysis



# Cost-benefit analysis (CBA)

- The Cabinet Directive on Regulation requires an analysis of cost and benefits
  - Departments and agencies are to examine the potential positive and negative impacts of a proposed regulation and its feasible alternative options on Canadians, business, governments and the environment, and identify how impacts are distributed across the various parties
  - When it is not possible to quantify the benefits or costs, a rigorous qualitative analysis is required
  - In the regulatory context, cost-benefit analysis is a structured approach to identifying and considering the economic, environmental, and social effects of a regulatory proposal.
  - CBA identifies and measures the positive and negative impact of regulatory proposals so that decision-makers can determine the best course of action
  - In order to support the development of the cost-benefit analysis, Health Canada will circulate a costing survey to regulated parties in the short term

# Next steps

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- Continue policy and regulatory development, baseline and ongoing monitoring
- Continue to engage openly and transparently with stakeholders
- Circulate the cost-benefit analysis survey to regulated parties
- Work towards Canada Gazette, Part I publication in spring 2024

# Q&A

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**Thank you for attending today's webinar:  
Policy update on restricting  
food advertising primarily directed at children**



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If we missed your question or for any additional ones, please direct them to [bpiaa-bpaii@hc-sc.gc.ca](mailto:bpiaa-bpaii@hc-sc.gc.ca)