



# Update

Media, Entertainment and Communications

25 January 2012

## ACMA report into industry self-regulation of children's food and beverage advertising



PDF Format

The Australian Communication and Media Authority (**ACMA**) has released a report stating that community concerns regarding food and beverage advertising to children remain, despite the industry's endeavours to address such issues through self-regulation.

### Background

In 2007, the ACMA began inviting submissions as part of its review of the Children's Television Standards. The media watchdog received a large number of responses from organisations such as the Cancer Council as well as the general public, expressing their concerns that the impact of food and beverage advertising has led to the rise in child obesity.

The submissions highlighted the repetitive, persuasive and often misleading advertising techniques used by the food industry, and thousands of petitions were received by the ACMA calling for the ban of food and beverage advertising during programs where children make up a significant proportion of the viewing audience.

Despite the considerable concerns expressed by the public, the ACMA refused to impose additional regulations outside of its existing Children's Television Standards which prohibit food and beverage advertising during pre-school programming periods, as well as certain advertising techniques during children's programming periods. Instead, the ACMA undertook to monitor two industry initiatives founded by the Australian Food and Grocery Council and the fast food industry.

### Industry initiatives for self-regulation

The industry's voluntary initiatives commenced in 2009, and have since been adopted by companies such as McDonalds and Kellogg's. In response to the public's submissions, the initiatives require that advertisements to children must promote healthy dietary choices and lifestyles, with complaints to be assessed by the Advertising Standards Board (**ASB**).

### The ACMA's findings

The ACMA's report released in December last year revealed that industry self-regulation over the past two years has done little to address the community concerns which prompted them. Research studies have shown that while data samples indicate some reductions in the rate of food and beverage advertising on commercial television, the proportion of non-core food advertising has increased.

Indeed, despite strong community concerns, only 32 complaints were made to the ASB through the self-regulation initiatives, of which 26 were dismissed. The small number of complaints, particularly successful complaints, may be due to the very narrow scope of the initiatives, and their being limited to advertisements directly targeting children, and screened during programs directed to or watched predominantly by children. This means that marketing which is arguably aimed at adults, or occurring during programs watched by adults such as *The Simpsons*, are not covered by the initiatives.

Furthermore, the persistence of community concerns can be attributed to the initiatives' reliance on voluntary compliance by advertisers. In the event that a complaint is upheld, signatories do not face financial penalties for breaches of the initiatives, and the ABS is merely empowered to request that any offending advertisements be withdrawn or modified.

### Moving forward

While the ACMA has announced that it will cease further monitoring of the initiatives, the report pointed to the newly established Australian National Preventive Health Agency's focus on food and beverage advertising. It remains to be seen whether this new agency for preventative health programs will use its evaluative powers to promote a whole-of-government response to address the considerable community concerns over advertising of food and beverages to children.

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