

WFA commitment to the EU Code of Conduct for responsible business and marketing practices

Strengthened EU Pledge initiative on responsible food marketing and children

The [EU Pledge](#) is a commitment by 23 leading food and beverage companies, representing an estimated 80%+ of EU food and beverage marketing spend, to change what they advertise to children across Europe.

Launched in 2007 as a commitment of the [World Federation of Advertisers \(WFA\)](#) to the EU Platform for Action on Diet, Physical Activity and Health, the EU Pledge programme has made a significant difference to the types of food and beverage advertising children see across media in the EU.

The WFA and EU Pledge member companies welcome and support the European Commission's Code of Conduct on responsible business and marketing practices and are committed to working towards the Code's objectives and targets, notably to the aspirational objective to reverse malnutrition and diet-related noncommunicable diseases (NCDs) in the EU and the aspirational target of a food environment that makes it easier to choose healthy and sustainable diets.

In line with the Code's indicative action to “*apply responsible food marketing and advertising practices, e.g. by adhering to self- and co-regulatory initiatives and standards*” EU Pledge member companies have strengthened their commitment on responsible food and beverage marketing (See Annex).

From 1 January 2022 onwards, EU Pledge membership will require companies:

- Not to advertise food and beverages to children under 13 years, except for products which fulfil the EU Pledge [common nutrition criteria](#) (the enhanced criteria will be applied no later than 30 June 2022).
- No marketing or advertising in primary schools, except where specifically requested by, or agreed with, the school administration for educational purposes.
- To abide by the International Chamber of Commerce (ICC) [Code of Advertising and Marketing Communication Practice](#); and the ICC [Framework for Responsible Food and Beverage Marketing Communications](#) in all marketing communications.

These rules are applicable to all EU Pledge member companies across the EU. Individual member companies may maintain or adopt specific policies that go beyond the EU Pledge commitment.

The strengthened EU Pledge commitment responds to a changing landscape and societal expectations and raises the bar for food marketing self-regulation in Europe, by:

- **Strengthening the definition of children's media** by extending the commitment to children aged 13 and lowering the audience threshold to 30% under 13s, effectively covering more media channels that have a significant child audience.
- **Revising the common nutrition criteria to further limit the type of products that can be marketed to children under 13.** Members do not advertise chocolates, candies/confectionery, soft drinks, ice creams and potato crisps; and further strengthened criteria for sweet biscuits and cakes, savoury crackers and meat-based products.
- **Embedding qualitative requirements** from the International Chamber of Commerce in all marketing communications, which ensure, for instance, that snacks should not be presented as meals, that appropriate portion sizes are represented and that ads support rather than undermine good dietary habits.

Compliance with the EU Pledge commitment is independently audited annually, and progress reports will be submitted to the European Commission on an annual basis.

Rationale: The World Federation of Advertisers (WFA) is the voice of marketers worldwide, representing 90% of global marketing communications spend — over €800 billion per year. WFA helps its members set standards for responsible marketing communications worldwide, and encourages leadership initiatives, which go beyond compliance with existing industry standards.

Fulfilling an EU mandate: An effective EU-wide approach on the exposure of children to food marketing has already been agreed in EU legislation. In addition to the [EU Nutrition Strategy](#), the EU Pledge directly responds to Article 9.3 of the [Audiovisual Media Services Directive](#) (AVMSD) which asks Member States to foster “*self-regulation through codes of conduct [...] regarding inappropriate audiovisual commercial communications, accompanying or included in children’s programmes, for foods and beverages containing [...] fat, trans-fatty acids, salt or sodium and sugars, of which excessive intakes in the overall diet are not recommended.*” The EU Code of Conduct for responsible business and marketing practices is an opportunity to further encourage and scale up self- and co-regulatory initiatives and standards. EU Pledge member companies have accordingly strengthened their existing commitment under the Code of Conduct.

Indicators: Compliance with the EU Pledge commitment is ensured through annual independent third-party monitoring. Yearly reports are available [here](#). An [accountability mechanism](#) further complements the annual compliance audits with additional external scrutiny and insight on potential company breaches. The system brings the possibility to check and improve compliance in all covered media and all member states, going beyond the coverage of the annual monitoring. All decisions are available [here](#).

ANNEX: EU Pledge – Enhanced Commitment 2021

The [EU Pledge](#) is a commitment by [23 leading food and beverage companies](#), representing an estimated 80%+ of EU food and beverage marketing spend, submitted to the European Commission by the [World Federation of Advertisers](#) (WFA) in the context of the EU Code of Conduct on responsible business and marketing practices, under the banner of the EU Farm to Fork Strategy.

The EU Pledge is a framework that commits signatories to applying a set of common voluntary rules across the EU to ensure that food and beverage marketing communications do not undermine and wherever possible promote balanced diets and healthy lifestyles.

These rules are applicable to all EU Pledge member companies across the European Union. Individual member companies may maintain or adopt specific policies that go beyond the EU Pledge commitment.

I. Restricting high fat/sugar/salt product marketing to children

EU Pledge members commit to:

- Only advertise products to children under the age of 13 years that meet the EU Pledge Nutrition Criteria¹; or
- Not advertise their products at all to children under the age of 13 years.

The above policy covers food and non-alcoholic beverage product marketing communications² that are primarily directed to children under 13³ in all covered media⁴.

EU Pledge member companies further commit not to engage in food or beverage product marketing communications to children in primary schools⁵, except where specifically requested by, or agreed with, the establishment's administration for educational purposes.

Nutrition criteria

EU Pledge member companies who choose to advertise some of their products to children will apply the updated and strengthened [EU Pledge Nutrition Criteria](#). These further limit the type of products

¹ The [EU Pledge Nutrition Criteria](#) apply to those member companies that use nutrition criteria. Those companies that do not currently advertise any of their products to children will continue to apply that policy. The EU Pledge Nutrition Criteria have been updated and strengthened in 2021.

² "Marketing communications" means paid advertising or commercial sales messages for food and beverage products, including marketing communications that use licensed characters, celebrities and movie tie-ins. Company-owned, brand equity characters are not covered by the policy.

³ Primarily directed to children under 13 means advertising in measured media where 30% or more of the audience is under 13 years of age. Where adequate data are unavailable, companies will consider other factors as appropriate, which may include the overall impression of the advertising, reliable age-screening or age-targeting techniques, and the target demographic based on the company's media plan.

⁴ "Covered media" means TV, radio, print, cinema, online (including social media and other online platforms and sites, including company-owned websites and video-sharing platforms such as YouTube), direct marketing, product placement, interactive games, outdoor marketing, mobile marketing and contracted influencers. Packaging, in-store and point of sale as well as forms of marketing communications which are not under the direct control of the brand owner, such as user-generated content, are not covered by this policy.

⁵ The following are not covered: menus or displays for food and beverage products offered for sale, charitable donations or fundraising activities, public service messages, government subsidized/endorsed schemes, such as the EU School Milk Programme, items provided to school administrators for education purposes or for their personal use, product availability and unbranded vending machines.

that can be marketed to children. EU Pledge member companies further agree to review the nutrition criteria on a regular basis.

II. Responsible food and beverage marketing

EU Pledge members further commit to abiding by:

- The International Chamber of Commerce (ICC) [Code of Advertising and Marketing Communication Practice](#); and
- The ICC [Framework for Responsible Food and Beverage Marketing Communications](#)

in all their marketing communications⁶, regardless of the age of the audience or the nutritional profile of the product, with regard in particular to rules that go beyond or are more specific than EU law, such as:

- Food and beverage marketing communications should not encourage or condone excess consumption and portion sizes should be appropriate to the setting portrayed.
- Marketing communications should not undermine and wherever possible promote the importance of balanced diets and healthy lifestyles.
- Copy, sound and visual presentations in marketing communications for food and beverage products should accurately represent the material characteristics of the product featured, such as taste, size, content, nutrition or health benefits, and should not mislead consumers concerning any of those characteristics.
- Food products not intended to be substitutes for meals should not be represented as such.

Member companies will abide by this enhanced commitment across the EU by 1 January 2022. The enhanced common nutrition criteria will be applied no later than 30 June 2022.

EU Pledge members:



⁶ Compliance with ICC related provisions and complaints received through the EU Pledge Accountability Mechanism will be deferred to national self-regulatory organisations/ad standard bodies as applicable.