PROMOTION: BUYING THE APPROVAL OF YOUNG PEOPLE
A Multidimensional Approach to Reducing the Appeal of Sugar-Sweetened Beverages

This report is a central component of the project entitled “A Multidimensional Approach to Reducing the Appeal of Sugar-Sweetened Beverages (SSBs)” launched by the Association pour la santé publique du Québec (ASPQ) and the Quebec Coalition on Weight-Related Problems (Weight Coalition) as part of the 2010 Innovation Strategy of the Public Health Agency of Canada on the theme of “Achieving Healthier Weights in Canada’s Communities”. This project is based on a major pan-Canadian partnership involving:

- the Réseau du sport étudiant du Québec (RSEQ)
- the Fédération du sport francophone de l’Alberta (FSFA)
- the Social Research and Demonstration Corporation (SRDC)
- the Université Laval
- the Public Health Association of BC (PHABC)
- the Ontario Public Health Association (OPHA)

The general aim of the project is to reduce the consumption of sugar-sweetened beverages by changing attitudes toward their use and improving the food environment by making healthy choices easier. To do so, the project takes a three-pronged approach:

- The preparation of this report, which offers an analysis of the Canadian sugar-sweetened beverage market and the associated marketing strategies aimed at young people (Weight Coalition/Université Laval);
- The dissemination of tools, research, knowledge and campaigns on marketing sugar-sweetened beverages (PHABC/OPHA/Weight Coalition);
- The adaptation in Francophone Alberta (FSFA/RSEQ) of the Quebec project Gobes-tu ça?, encouraging young people to develop a more critical view of advertising in this industry.

The SRDC will conduct a formative evaluation throughout the entire project.

This report, which is a component of the project entitled “A Multidimensional Approach to Reducing the Appeal of Sugar-Sweetened Beverages”, has been prepared by the Quebec Coalition on Weight-Related Problems, with Université Laval helping to evaluate the nutritional value of the products. All project partners (Appendix 3) contributed to disseminating the contents of this report and its conclusions.
**Acknowledgments**

This project has been made possible through a financial contribution from the **Public Health Agency of Canada**. The views expressed herein represent the views of the Weight Coalition and do not necessarily represent the views of the Public Health Agency of Canada.

We wish to thank all the partners in the project entitled “A Multidimensional Approach to Reducing the Appeal of Sugar-Sweetened Beverages” for their involvement and support, and for their contribution in the editorial preparation of this report.

Last but not least, we wish to sincerely thank our advisory committee made up of the following individuals. Their presence on the advisory committee should not be interpreted as an endorsement or approval of the Weight Coalition’s positions expressed in this report.

- **JoAnne Labrecque**, Associate Professor, Marketing Faculty, HEC Montréal
- **Yannik St-James**, Associate Professor, Marketing Faculty, HEC Montréal
- **Christian Désilets**, Assistant Professor, Information and Communication Department, Université Laval
- **Jordan Le Bel**, Associate Professor, Marketing Department, John-Molson School of Management, Concordia University
# Table of Contents

A Multidimensional Approach to Reducing the Appeal of Sugar-Sweetened Beverages .......... 1  
Acknowledgments ................................................................................................................. 2  
Table of Contents ................................................................................................................... 3  
List of Tables .......................................................................................................................... 5  
Introduction .......................................................................................................................... 6  
The Marketing of Sugar-Sweetened Beverages: A Topic to Sink Your Teeth Into!.................. 6  
Definition of “Sugar-Sweetened Beverages” ......................................................................... 7  
Consumption of Sugar-Sweetened Beverages by Young Canadians ........................................ 7  
Health Impact of Sugar-Sweetened Beverages ....................................................................... 9  
Mobilization of Canada’s Health Professionals ................................................................... 10  
Our Youth: An Ideal Target for Manufacturers of Sugar-Sweetened Beverages .................. 11  
Marketing Investment by the Sugar-Sweetened Beverages Industry ....................................... 12  
Promotion: Definition, Key Issues and Investments ............................................................... 13  
An Aspect of the Marketing Mix Geared Toward Persuading and Encouraging Spending .......... 13  
Why is this an Issue? ................................................................................................................. 14  
Profitable Investments for the Industry ................................................................................. 15  
Promotional Strategies and Case Studies ............................................................................... 19  
TV Advertising .................................................................................................................... 19  
Radio Advertising ................................................................................................................ 23  
Print Media ........................................................................................................................ 24  
Internet .................................................................................................................................. 26  
Mobile phones .................................................................................................................... 46  
Cross-promotion .................................................................................................................. 47  
Contests ................................................................................................................................. 49  
Product Placement ............................................................................................................... 53  
Sponsorship and Philanthropy .............................................................................................. 58  
Multiplatform Communication to Win Young People’s Hearts ............................................ 72  
Recommendations for the Promotion of Sugar-Sweetened Beverages ................................... 75  
Provincial ................................................................................................................................. 76  
Federal ................................................................................................................................. 77  
Oversight ............................................................................................................................... 79  
Appendix 1: About the Weight Coalition ........................................................................... 80  
Partners of the Weight Coalition ........................................................................................ 81  
Appendix 2: About the Innovation Strategy (IS) ................................................................. 86  
Appendix 3: About the Project Partners ............................................................................. 87
List of Tables

Table 1:
Beverage consumption of children and teens  Adaptation of data drawn from Statistics Canada (2008)................................................................. 8

Table 2:
Sugar consumption among Canadians of all ages Statistics Canada (2011).............................. 9

Table 3:
Internet use by young Quebeckers (%) ................................................................................... 26

Table 4:
How often do young Canadians play video games? (%) ........................................................... 56
Introduction

Sugar-sweetened beverages are proliferating on supermarket shelves, in convenience stores, arenas, vending machines, sports centres and the various public places frequented by young people. The increasingly wide range of differentiated products, combined with their unprecedented availability, allows consumers to have sugar-sweetened beverages anywhere at any time and often at very low prices. Sugar-sweetened beverages also benefit from intense advertising that mainly targets a young population using social media, product endorsements by athletes and sports teams, as well as many other marketing strategies. The consumption of sugar-sweetened beverages has therefore become worrying in light of the many consequences on health, particularly among the young, who are highly susceptible to the marketing of these products.

While health professionals worry about today’s consumption of sugar-sweetened beverages, particularly by our youth, marketeers are cleverly using new technologies, new media and massive budgets to reach this target population and encourage them to consume sugar-sweetened beverages. For example, in 2004, the food, drink and snack industries in the United States spent 1,178 times as much on advertising as the government spent on its “5 A Day” campaign to promote eating fruit and vegetables. This represents more than US$11.26 billion advertising per industry, versus the US$9.55 million spent by the Federal and the California State governments on the “5 A Day” campaign. The industry’s ongoing massive investment makes a level playing field impossible, which is why public health campaigns are not enough to make the difference. We therefore need to identify all other possible avenues for action and must prioritize the creation of environments that promote healthy eating habits.

The Marketing of Sugar-Sweetened Beverages: A Topic to Sink Your Teeth Into!

The 2006 Petit Robert dictionary defines marketing as “the set of actions whose purpose is to analyze the present or potential market of a good or service and to implement the means to satisfy, stimulate or create demand for it”.

Marketing and the “Four Ps”

In this report, we want to present a view of the Canadian sugar-sweetened beverage market as a whole, as well as the marketing strategies used in this industry to reach young people. To do so, we split the information into four distinct but complementary sections, using “marketing mix” as the underlying organizing principle to focus on Product, Price, Place and Promotion, commonly known as the “four Ps” of marketing. These “four Ps” are also used by the companies themselves when defining their global marketing strategies.

This analytical structure allows us to determine the extent of sugar-sweetened beverage marketing, as well as to make recommendations. We hope that these avenues of thought can serve as a basis for implementing concrete actions and public policies that reflect the reality of the Canadian market and are aimed at eventually reducing the consumption of these drinks that can be harmful to one’s health. In this respect, we should note that the World Health Organization (WHO) has recognized that the regular consumption of sugar-sweetened beverages is a probable contributing factor to the global obesity epidemic.
Volume 4 - Promotion: Buying the Approval of Young People

In this fourth volume, entitled *Promotion: Buying the Approval of Young People*, we analyze the various communication strategies used by the SSB industry to entice young people. Given the extent of the phenomenon, we will propose policies to restrict advertising that targets young people.

**Definition of “Sugar-Sweetened Beverages”**

Although sugar-sweetened beverages worry and mobilize people of all viewpoints, there is no consensus or legal definition of the term “sugar-sweetened beverage” in Canada today.

To facilitate our analysis, we borrowed from various suggested definitions,\(^3,^4,^5\) in particular, the one used by the Government of Canada in its children’s health and safety campaign aimed at sugar-sweetened beverages.\(^6\) Therefore, in this report we have used the term “sugar-sweetened beverages” to refer to any drink for human consumption, carbonated or not, that contains added sugar.

More precisely, we have identified seven categories of sugar-sweetened beverages that will be analyzed in this report:

- soft drinks
- energy drinks
- sports drinks
- punch and cocktail-type fruit drinks (excluding 100% fruit juice)
- enriched/vitamin-enhanced water
- ready-to-drink tea and coffee
- flavoured milk

We are aware that there are other categories of sugar-sweetened beverages (soya-based drinks, slushes, etc.). Although they often contain added sugar, we will not be analyzing these drinks in this report. Nevertheless, certain marketing strategies associated with their merchandising may occasionally be referred to.

Sugary products with a sweetening agent, otherwise known as “diet” drinks, are outside the scope of this report. We should note, however, that the health impact of these drinks is currently the subject of considerable debates, and it should not be automatically assumed that they are a “healthy” alternative to sugar-sweetened beverages.\(^7\)

**Consumption of Sugar-Sweetened Beverages by Young Canadians**

The energy value of drinks for children and teens is not negligible and is often underestimated. In Canada, the drinks consumed by children and teens account for 20% of their daily calorie requirements.\(^8\)

As for plain soft drinks (including energy drinks and iced tea) and fruit drinks, children and teens in Canada consumed an average of 309g/day. This figure varies somewhat from province to province, with Newfoundland & Labrador and New Brunswick reporting a considerably higher consumption, with averages of 421g/day and 368g/day, respectively, while British Columbia is the lowest consumer of sugar-sweetened beverages at an average of 249g/day.
Children in Canada get into sugar-sweetened beverages at a very early age, and their consumption increases as they progress into adolescence, peaking at ages 14-18.

**Table 1: Beverage consumption of children and teens**
Adaptation of data drawn from Statistics Canada (2008)

<table>
<thead>
<tr>
<th>Age Group</th>
<th>% consuming SSB the day before the interview</th>
<th>Daily consumption of SSB in grams</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ages 1-3</td>
<td>35</td>
<td>104</td>
</tr>
<tr>
<td>Ages 4-8</td>
<td>60</td>
<td>205</td>
</tr>
<tr>
<td>Ages 9-13</td>
<td>77</td>
<td>332</td>
</tr>
<tr>
<td>Ages 14-18</td>
<td>78.5</td>
<td>465</td>
</tr>
</tbody>
</table>

Sugar-sweetened beverages (SSBs) = plain soft drinks (including energy drinks and iced tea) and fruit drinks

Until the age of 13, young Canadians seem to prefer fruit drinks over plain soft drinks. This trend, however, reverses among teens 14 to 18. Moreover, health statistics analyst Didier Garriguet has found differences in consumption between boys and girls. In general, boys drink more sugar-sweetened beverages than girls, particularly soft drinks. Looking at sugar-sweetened beverages as a whole, 14- to 18-year-old boys consume about half a litre a day while girls drink about a third of a litre. These sugar-sweetened beverages represent 8% of the daily energy intake for boys aged 14-18 and 7% for girls the same age.

A recent survey of 10,000 teens ages 13-17 conducted by the Réseau du sport étudiant du Québec (RSEQ), reported that they regularly consume:

- fruit-flavoured drinks: 61%
- soft drinks: 44% (53% among boys)
- sports drinks: 28% (boys twice as much as girls, and this ratio quadruples when we look at frequent consumption ("every day or nearly every day" and "3 to 4 times a week"), with 4% for girls and 16% for boys)
- As for energy drinks, 35% of the young people surveyed drink them occasionally.

In addition, we have recently found that soft drinks, energy drinks and iced teas are the main source of sugar for 9- to 18-year-olds in Canada, while fruit drinks rank 5th among 1- to 8-year-olds. The data used for this study is from 2004. Since then, the sharp increase in energy drinks and the arrival on the market of vitamin-enriched water and enriched fruit drinks suggests that sugar-sweetened beverages may be responsible for delivering even more sugar to young Canadians.

---

1 The frequency of consumption options in the questionnaire distributed to young people were:

- Every day or almost every day
- 3 to 4 times a week
- 1 to 2 times a week
- Rarely
- Never

"Regular" consumption includes categories from “1 to 2 times a week” to “Every day or almost every day”.

ii “Occasional” consumption falls between the categories “rarely” and “every day or nearly”.
Table 2: Sugar consumption among Canadians of all ages
Statistics Canada (2011)\textsuperscript{12}

<table>
<thead>
<tr>
<th>Ages</th>
<th>% of total sugar from regular soft drinks</th>
<th>% of total sugar from fruit drinks</th>
<th>% of total sugar from “sugar-sweetened beverages”</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ages 1-8</td>
<td>3.6%</td>
<td>6.2%</td>
<td>9.8%</td>
</tr>
<tr>
<td>Ages 9-18</td>
<td>14.3%</td>
<td>9.1%</td>
<td>23.4%</td>
</tr>
<tr>
<td>Ages 19 and +</td>
<td>13%</td>
<td>3.7%</td>
<td>16.7%</td>
</tr>
</tbody>
</table>

Sugar-sweetened beverages therefore participate, in a non-negligible way, in the total sugar consumption of young Canadians. Moreover, it is among boys aged 14-18, who are also some of the biggest consumers of sugar-sweetened beverages, that the absolute quantity of sugar consumption is the highest (172g a day, or 41 teaspoons), which puts them well above the national average of 110g a day (or 26 teaspoons), while the recommended daily glucose requirement for teens is 100g.\textsuperscript{13}

As for the consumption of other types of sugar-sweetened beverages, there is little data accessible or available in Canada. A 2010 report by an expert group on caffeinated energy drinks commissioned by Health Canada emphasized the “general absence of data on the consumption of energy drinks by children and teens”.\textsuperscript{14} The market in added-value drinks (drinks for athletes, vitamin-enriched and energy drinks) is relatively recent, but seems to be growing strongly in Canada, especially among the young. Nearly 7 million units of energy drinks are consumed in Canada every year.\textsuperscript{15}

Health Impact of Sugar-Sweetened Beverages

The consumption of sugar-sweetened beverages is increasingly deplored by health professionals because of its negative impact on health, particularly among young people.

Like many countries around the world, Canada today has worrying levels of obesity, among adults as well as children. Astonishingly, more than 1 in 4 children in Canada are overweight or obese.\textsuperscript{16} Moreover, although many factors contribute to obesity, respected international agencies such as the Institute of Medicine,\textsuperscript{17} the Center for Control Disease and Prevention,\textsuperscript{18} the United States Department of Agriculture\textsuperscript{19} and the Rudd Center\textsuperscript{20} are proactively engaged in trying to reduce the consumption of sugar-sweetened beverages that are directly implicated in the obesity epidemic. In a recent campaign,\textsuperscript{21} the Canadian Government identified sugar-sweetened beverages as a contributor to obesity in children. And for good reason, as the daily consumption of sugar-sweetened beverages increases the risk of obesity by 60% in children,\textsuperscript{22} thereby also increasing the risk of developing associated diseases such as type 2 diabetes, cardiovascular diseases and certain types of cancer. In a review of verified findings on 28 diet factors thought to be associated with obesity among children, the consumption of sugar-sweetened beverages was the only behaviour consistently linked to excess weight in children.\textsuperscript{23}

A Considerable Economic Impact

Action becomes imperative when we recognize the alarming prevalence of excess weight, obesity and chronic disease creating major costs for the State, our heath system and our society as a whole. The most conservative estimates suggest that obesity alone adds some $4.3 billion a year\textsuperscript{24} to Canada’s tax bill, while some actuaries estimate the cost to be closer to $30 billion a year.\textsuperscript{25}
To reduce health costs related to obesity and associated chronic diseases, we need to act on its causes from the earliest ages. “The probability of childhood obesity persisting into adulthood increases with the age of the child (from 20% to 50% for pre-teens to 50% to 70% for pubescent adolescents).” Clearly there is a strong case for investing in our younger generations by helping to protect them from known risk factors for unhealthy weights.

Moreover, in addition to the links established between sugar-sweetened beverages and obesity, these drinks are also directly implicated in type 2 diabetes, dental caries, dental erosion, and cardiovascular disease.

Caffeine: An Ingredient No Longer to be Taken Lightly!

First and foremost, energy drinks are sugar-sweetened beverages, but the large amount of caffeine they contain is an additional source of concern. The energy drinks that young people consume quickly reach the daily caffeine intake that is recommended by Health Canada. “Exceeding recommended daily caffeine limits can produce side effects, from simple nausea to serious cardiac problems.”

Mobilization of Canada’s Health Professionals

As the impact of sugar-sweetened beverages on health and especially on obesity is increasingly a matter of public record, we now need to help the country join forces to tackle the challenge. There are many youth-oriented projects in place, with a common objective, which is to reduce the consumption of sugar-sweetened beverages.

The Position of Key Actors in Canada

As mentioned above, the Canadian Government’s position is to keep the population informed of the link between sugar-sweetened beverages and obesity. In addition, Canada’s Food Guide recommends drinking water and restricting the consumption of sugar-sweetened beverages “that can be high in calories and low in nutrients.”

Other Canadian agencies have also expressed concern about the consumption of sugar-sweetened beverages, in particular:

- the Alberta Policy Coalition for Chronic Disease Prevention
- the Chronic Disease Prevention Alliance of Canada (CDPAC)
- the Canadian Diabetes Association
- the Childhood Obesity Foundation
- the Quebec Coalition on Weight-Related Problems
- the Dieticians of Canada
- the Federation of Medical Specialists of Quebec
- the Heart and Stroke Foundation
- the activists of the Quebec Liberal Party
- the Ordre des hygiénistes dentaires du Québec
- the Canadian Pediatric Society
- Québec en forme
Our Youth: An Ideal Target for Manufacturers of Sugar-Sweetened Beverages

We established earlier that regular soft drinks (including energy drinks and iced tea) are very popular among Canadian teens and that they are the main source of sugar for 9- to 18-year-olds. This enormous consumption is partly the result of a massive investment by the industry of sugar-sweetened beverages to reach this young population. Indeed, due to their greater susceptibility to marketing and their increasing purchasing power, children and teens are now this industry’s target of choice. Moreover, according to a WHO report, “The enormous expenditure on marketing fast food and other products in the ‘consume as little as possible’ category (US$11 billion in the United States alone in 1997) is a key factor in the increasing consumption of ready-to-eat food in general and in high-energy but low-nutritional and low-trace-element foods in particular.”

Vulnerability of Children and Teens

Children and teens are highly susceptible to the various marketing strategies used to reach them and are incapable of recognizing the commercial purpose of some ads. In fact, young children cannot distinguish the content of the message from its advertising purpose. From 4 to 5 years of age, children start being able to distinguish between a program and advertising, but the latter is perceived as just additional entertainment, until at least ages 7 or 8. After that, as their cognitive and social development progresses, young people become increasingly able to discern marketing intent. Understanding the true nature of advertising, which is to try to sell a product in order to make a profit, is not something that all children understand until the onset of adolescence, at about ages 11 to 12. More still, a recent survey of 10,000 young Quebeckers by the Réseau du sport étudiant du Québec reported that nearly half of the teens surveyed could not distinguish between the various types of strategies used by manufacturers to sell more sugar-sweetened beverages.

A Purchasing Power Targeted by Industry

Children have had a growing direct and indirect economic power affecting all industries. This is partly because they get pocket money that they can spend any way they like. Canadian children 2-12 years old spent an estimated CAD$1.5 billion pocket money in 2002. It is also because children influence 40% of family spending, accounting for more than CAD$20 billion in 2004.

Companies rely enormously on this influence, and even try to accentuate it by developing what is commonly known as the “nag factor”. This nag factor can be described as a child’s incessant demand for a product or brand that influences the parent’s buying decisions. Companies target children directly through advertising and target parents indirectly but deliberately through harassment.

A study has been released on the nag factor associated with various product categories aimed at children or adults. It also looks at soft drinks “because they are clearly important for children... and because it is a category in which teens have the most impact on buying decisions”. The findings suggest that the nag factor is real in the product categories aimed at children, which include soft drinks.

---

iii Free translation.
Marketing Investment by the Sugar-Sweetened Beverages Industry

In the absence of Canadian data on marketing investment by the sugar-sweetened beverages industry we will use U.S. data, mainly released by the Federal Trade Commission (FTC) in a 2008 report on the industry’s spending on marketing aimed at young people.50

Among the 44 companies studied by the FTC, the total spending to promote food and drink to children and teens amounted to US$1.6 billion in 2006. Soft drinks accounted for US$492 million, 96% of which was directly aimed at teens (US$474 million, nearly US$20 per teen),51 classifying these SSB brands as the largest youth-targeting investors. Non-carbonated drinks accounted for US$109 million (3rd largest) aimed at teens. In 2010, drinks companies spent US$948 million to promote sugary and energy drinks in all the media surveyed, 5% more than in 2008.52

Over the course of this report, where the data is available, we will detail the spending by the sugar-sweetened beverages industry in keeping with marketing strategies and media used.
Promotion: Definition, Key Issues and Investments

An Aspect of the Marketing Mix Geared Toward Persuading and Encouraging Spending

In the first three volumes of our report *Sugar-Sweetened Beverage Marketing Unveiled*, we discussed product marketing strategies, product pricing and product distribution, respectively. In this fourth and last volume, we will be looking specifically at promotion, including the many advertising strategies developed by SSB companies to reach their target clientele. This key element of the “marketing mix” allows manufacturers of sugar-sweetened beverages not only to win new customers but also to build loyalty through extraordinarily creative and persuasive communication. By using the various media platforms at their disposal, marketing specialists are able to adapt their communication, multiplying the opportunities for reaching consumers without being repetitively redundant. Indeed, the advertising strategies implemented on the various media platforms are generally complementary and create coherent campaigns geared toward reinforcing the relationship with target consumers.

The SSB industry is distinctively avant-garde in its approach to promoting its products. Some manufacturers focus on acquiring as much visibility as possible among the widest possible audience, while others take a more discreet and insidious approach, restricting advertising to a specific target public, creating an illusion of exclusivity and a sense of belonging. This is often the case for energy drinks.

Given the multitude of sugar-sweetened beverages on the market, promotion is a key factor in distinguishing a brand from its rivals and creating a solid, unique and meaningful brand image around the product for consumers, based on their psychographic characteristics (lifestyle, attitudes, beliefs, values, interests and opinions\(^{53,54}\)). Various forms of promotion are harnessed to accomplish this. According to the World Health Organization (WHO),\(^{55}\) although television remains a medium of choice, companies now use other promotional strategies geared toward brand-building and creating a relationship with the consumer, such as:

- sponsorship
- product placement
- sales promotion (discounts, special offers, samples, etc.)
- the use of known personalities, mascots or celebrities
- websites
- packaging
- merchandisers/displays
- emails or text messages
- philanthropy
- viral marketing

The WHO\(^{55}\) also categorizes promotional strategies as “traditional” or “non-traditional”, i.e., whether they use traditional media such as television, cinema, radio, printed media or outdoor billboards and directly encourage the consumer to buy the advertised product, or non-traditional methods such as sponsorship, product placement, Web marketing, emails and point-of-sale advertising.
Center for Food Policy and Obesity\textsuperscript{57} and the Federal Trade Commission\textsuperscript{58} have also analyzed advertising strategies and industry spendings, focusing on the large investments by SSB manufacturers who use all these techniques to promote their products to children around the world.\textsuperscript{59,60} Although the traditional media are still the avenue of choice in SSB communication strategies, the new media (cell phones, the Web, social networks) are increasingly seen as essential for connecting with consumers on a personal level. The point of marketing is not simply to expose young people to advertising; it is “ongoing engagement”, encouraging them to interact, develop friendships and incorporate the brand into their personal identity and their social world.\textsuperscript{61}

Why is this an Issue?

Advertising is now everywhere we look, and everywhere that young people look. The proliferation of media platforms and the creativity of marketeers’ communication strategies confront us constantly with brands, products and logos, and sometimes do so “indirectly”. This is especially true of sponsorships and the use of celebrities that link a product to a sport, a piece of music, or particular values and attitudes. This form of advertising can be insidious because we assimilate it without necessarily being fully aware of it. Young people, being less critical, are even more vulnerable to advertising than adults are, mainly because they do not always manage to draw the distinction between advertising message and information.\textsuperscript{62} Product placement, viral marketing and sponsorship circumvent the proactive processing of advertising information and can thus “deactivate” the scepticism and other means of defence that an older child might employ.\textsuperscript{63}

Moreover, most of the marketing targeting children around the world is intended to promote food that is high in fat, sugar or salt,\textsuperscript{64,65} which includes sugar-sweetened beverages.\textsuperscript{66} Teens in particular are targeted by the SSB industry.\textsuperscript{67,68} For their part, children strongly influence purchases of sugar-sweetened beverages,\textsuperscript{69} which means they are also influenced by that marketing.

Current research establishes a link between the agri-food industry’s promotional activities, and the awareness, attitude toward junk food, food preferences and eating habits of young people.\textsuperscript{70,71,72,73,74,75} According to the WHO, junk food chains, as well as food and beverages that are normally tagged “consume as little as possible” in nutrition guides (e.g.: Canada’s Food Guide), are among the most marketed products, particularly on television.\textsuperscript{76}

The health impact of a sustained promotion of sugar-sweetened beverages is not negligible. In fact, the WHO has identified the intense marketing of energy-dense, nutrient-poor foods as a probable factor in the obesity epidemic\textsuperscript{77} and has made it a priority in its strategy to combat chronic disease.\textsuperscript{78}

Furthermore, a study published in the journal Psychology & Marketing\textsuperscript{79} has shown that children between the ages of 3 and 5 demonstrate an emerging capacity to use advertising to select the products they think will be the most fun and make them popular, even if they cannot read yet. Thus, from a very early age, they associate the product, the brand and its logo with the potential usefulness in their daily life. Last but not least, a brand’s popularity and the resulting peer pressure can have an overwhelming impact on children’s preferences at a very early age.
Studies continue to show that children exposed to advertising are significantly more prone to choose “advertised” foods than children not exposed to it. Their inclination to buy a particular brand or product category also reflects how often those products have been advertised.\textsuperscript{80}

The influence of advertising on children also directly impacts parents in the sense that they are the first to be subjected to their children’s incessant demands, otherwise known as “nagging”, \textsuperscript{81} which can happen from a very young age. It would be at about 2 years of age that children would start asking their parents for particular products.\textsuperscript{82} In actual ads, children are depicted as autonomous consumers who know everything, in contrast to parents, who are often portrayed as the bad guy.\textsuperscript{83}

Although in some countries concrete actions have been taken to reduce intensive marketing targeting young people,\textsuperscript{84} other countries leave the industry to regulate itself. Quebec has a law\textsuperscript{85} geared toward protecting children under 13 years of age from advertising, which we will discuss later in this report. The rest of Canada, however, relies on the industry’s “good will” to limit young people’s exposure to marketing strategies. In her study geared toward assessing the effectiveness of self-regulations of food marketing directed at children during their preferred TV programs, however, Monique Potvin-Kent arrives at the conclusion that voluntary commitments by businesses that have ratified the \textit{Canadian Children’s Food and Beverage Advertising Initiative}\textsuperscript{86} have not had a significant impact on food and beverage marketing during programs watched by young Canadians between 10 and 12 years of age.\textsuperscript{87}

**Profitable Investments for the Industry**

In Quebec, food was the 3\textsuperscript{rd} largest industry in 2012 in terms of advertising investment, up 7.1\%.\textsuperscript{88} In Canada, the agri-food industry spent $720 million\textsuperscript{89} on advertising in 1998. Worldwide, this industry’s advertising spending was valued at US$40 billion in 2001,\textsuperscript{90} 80% of it promoting very well known brands such as Coca-Cola, McDonald’s, Nestlé, etc. Of that amount, US$13 billion was geared toward targeting children.\textsuperscript{91}

The Rudd Center conducted a large-scale study of SSB marketing and was able to access a vast amount of accurate economic data. It revealed that in 2010, \textbf{SSB companies} spent US$948 million on advertising in all media surveyed, in the United States alone, an increase of 5% since 2008.

- **Plain soft drinks** accounted for nearly half of that amount at about US$432 million.
- **Energy drinks** ranked second at US$165 million, while **sports drinks** spent over US$133 million.
- The \textit{Coca-Cola®} Company came top of the list, spending nearly US$292 million on advertising its entire range of products.
- **Red Bull®** was 7\textsuperscript{th} with US$26 million, but that was to promote a single product.
- The advertising budgets of companies such as Coca-Cola®, PepsiCo® and Dr Pepper Snapple Group® (which offer diverse beverages) are mainly allocated to promoting sugar-sweetened beverages (vs. diet soft drinks, 100% pure fruit juice, water and other diet drinks).
Note that the three companies mentioned above are the three largest players in the SSB industry, as shown in the following diagram:

*Soft Drink Industry Structure, 2008*
In 2010, these three major players were also the three largest spenders on advertising (in order). This is probably not by chance. Advertising investments seem profitable for these companies.

In 2010, the Coca-Cola Company would have spent approximately US$3 billion on advertising worldwide, an increase of 4.5% in comparison to 2009. While Coca-Cola promotes its entire vast range of products, we should point out that it invests the most on promoting sugar-sweetened beverages:

Between 2008 and 2010, the total marketing budget for the Dr Pepper Snapple Group (7UP, A&W, Canada Dry, etc.) increased by 25% to reach US$445 million. In 2011, it projected an additional 5-6% increase to grow brand visibility and availability.

The total marketing budget for the Red Bull® brand would amount to more than US$1.5 billion. Results: in 2010, 4 billion cans were sold worldwide, and its market share in the energy drink industry in Canada would be of 37%. Note, however, that according to its founder Dietrich Mateschitz, “the goal of the business is no longer to sell the drink but to identify talented individuals and help them achieve”. Therefore, we have a marketing budget that is even more impressive, considering that Red Bull® would not want to sell the brand’s eponymous drink anymore. According to Sébastien Paradis, sales and marketing manager for eastern Canada, the massive investment in marketing generates “long-term benefits”. In 2010, the company employed 6,900 people in 160 countries and had worldwide sales of US$3.3 billion. Its revenues were more than US$5 billion in 2010, and its target for 2011 would be of US$6 billion.
The Monster® brand, for its part, uses targeted advertising and avoids “traditional” vehicles such as television, radio and the press. To reach their clientele, the brand’s marketing specialists have decided to invest in social media and to associate the brand with alternative music as well as with extreme sports through sponsorship. This strategy has proven to be profitable as Monster® energy drinks accounted for US$1.3 billion in sales in 2011. On top of this, a report issued on May 9, 2012, announced record sales and profits for the first quarter of the year.

If we analyze the advertising budgets that these major companies allocate to their brands more closely, estimates vary depending on methodology, but Coca-Cola Classic® leads the market by far (between US$173 and US$183 million in 2010), followed by Pepsi®, Gatorade®, Dr Pepper®, Vitamin Water®, Red Bull®, etc. (the order also varies depending on the source, but these brands are always at the top of the rankings.) In 2nd place, reflecting its marketing investment in its flagship product, PepsiCo® posted a 3.4% growth in sales of soft drinks between 2011 and 2012.
Promotional Strategies and Case Studies

With the development of new information and communication technologies, marketing specialists have a large and diverse range of communication channels and tools to reach today’s youth. When they use them synergistically, we call it “integrated marketing communications” (IMC), i.e., using all communication channels coherently and effectively. This tactic broadens and extends the scope of the brand’s message. Although they all have the same objective, the messages on the various platforms can be adapted to the particular communication channel, as well as to the target audience, thereby reinforcing the link between brand and target. To do so, marketeers rely on the complementarity of traditional and non-traditional media, multiplying the points of contact with the consumer.

TV Advertising

Although many other advertising strategies are now used to reach young people, TV advertising remains the dominant one. Before the advent of digital media, television “was for a long time chosen for its ability to communicate emotion in both images and sound”. And it still remains today “the main point of contact between children and advertising”. Television lets you connect with the consumer by evoking an emotional response. So, when the consumer notices the brand in a supermarket, for example, marketeers hope that he will remember “the emotions evoked by the TV ad”. TV advertising would also be used to entice viewers to visit the brand’s website or associated social media, thereby grabbing the consumer for a longer period of time and giving the brand a chance to collect information about him.

Television is therefore an excellent tool for associating the brand with celebrities, philanthropic efforts, sponsorships and environmental investment. Also, ads today often relegate the actual products to a subordinate role. SSB companies prefer to highlight the values associated with related activities (such as physical activity, “coolness”, “fun”, etc.), thereby buying themselves a positive image among consumers and diverting attention from the discredited health aspects of their products. Last but not least, the advertising initially broadcasted on TV can be relayed via the brand’s websites and social media such as YouTube and Facebook.

Young People and Television

In high school, screen time is estimated between 24 and 53 hours a week. The corresponding figure for 2- to 11-year-olds is an average of 15 hours a week. Note that the Canadian Paediatric Society recommends a maximum of 2 hours of TV a day.
Impact of Advertising on Obesity

Obesity rates rise in line with the number of hours spent in front of a TV, which suggests a causal relationship.\textsuperscript{116} A study looked at whether TV contributes to obesity because of the content that it broadcasts or because of the sedentary nature of this activity. The authors conclude that TV advertising, more than the fact of watching TV, is associated with obesity.\textsuperscript{117} The WHO has also come to the same conclusion.\textsuperscript{118}

TV advertising guides food choices,\textsuperscript{119,120,121} influences eating habits\textsuperscript{122,123,124} and encourages consumption.\textsuperscript{125} The time spent watching TV significantly influences children from the age of 3, encouraging them to ask their parents for the products advertised.\textsuperscript{126} Furthermore, even brief exposures to food ads are enough to impact the food preferences of pre-school children.\textsuperscript{127} Excessive TV viewing by 2- to 4-year-olds can increase SSB consumption by 9%.\textsuperscript{128}

Junk Food Loves TV

A Quebec study has shown that 73% of foods advertised during children’s general viewing hours are not listed in Canada’s Food Guide (e.g., snacks, candies, ready-meals, drinks).\textsuperscript{129} Again in Quebec, another study has shown that 75% of the food ads broadcast on dedicated kids’ channels promote junk food (snacks, savoury and sweet spreads, ready-foods, fast food chains).\textsuperscript{130} Worldwide, candies and snacks, sugary cereals, fast foods and soft drinks are often associated with TV advertising aimed at children.\textsuperscript{131,132}

Youth specialized channels (e.g., Teletoon, Vrak, Music Plus, YTV) carry twice as much advertising that children like than the mainstream channels (SRC, TVA, CTV, CBC) and they also now use strategies that get kids to interact with the screen.\textsuperscript{133} As an illustration, the advertising on specialized channels consisted of:

- TELETOON: 77.9% junk food\textsuperscript{iv}
- YTV: 96.4% junk food
- MUSIQUE PLUS: 97.9% junk food
- VRAK TV: 79.9% junk food

Sugar-Sweetened Beverages

The vast majority of brands of sugar-sweetened beverages still use TV to broadcast their advertising. We went to see a few up close.

The Super Bowl

The Super Bowl has become an “institution” in terms of TV advertising. Ad spots sell like gold (an average US$3.5 million for a 30-second spot\textsuperscript{134}). On February 5, 2012, more than 8 million Canadians tuned in to this event on TV,\textsuperscript{135} and nearly half the population watched some or all of the game.\textsuperscript{136} PepsiCo and Coca-Cola ranked 2\textsuperscript{nd} and 5\textsuperscript{th} among the top 5 advertisers during the US Super Bowl. The ads broadcast in Quebec, Canada and the United States differ depending on the target audience, but SSB brands are strongly represented.\textsuperscript{137} The brands seem to find this investment profitable as they talk about the Super Bowl lifting profits by 275% following the advertising broadcast during the event.\textsuperscript{138}

\textsuperscript{iv} Foods with low nutritional value and/or too high in fat, sugar or salt
Red Bull and Cartoons

Although Red Bull® relies heavily on sponsorship and events in its communication strategy, the brand also has a TV presence. Its ads are in the form of animated cartoons that usually feature a character who is confronted by a “problem” and who, thanks to Red Bull, finds a solution. In the example opposite, a Red Bull superhero has broken down and can no longer rescue any people. The ad ends with “No Red Bull, No Wings”. Its other ads play on the same theme and ensure consistency with the brand’s slogan “Red Bull gives you wings” and its key messages that Red Bull “vitalizes body and mind”.

Coca-Cola: the Environment, Sport and Philanthropy

One Coca-Cola® ad during the Vancouver Winter Olympics (the company being an official sponsor) unfolds in the Olympic Village filled with athletes of various nationalities. The ad features a Canadian athlete drinking a Coca-Cola®. A slab of snow falls from the roof and makes him drop the bottle. Mistakenly, a teammate accuses the Swedish team of being responsible, and a snowball fight ensues involving all the international teams. The Canadian athlete, however, is thinking of just one thing: finding another bottle of Coca-Cola (“Open happiness”). In addition to directly associating consumption of the product with pleasure, this ad also associates the brand with Olympic values.
Sugar-sweetened beverages are increasingly criticized by health professionals. Over the past two years, Coca-Cola® has focused its Canadian ads mainly on the brand “doing good” rather than on the product itself. Some of these ads also feature in film trailers and are on the Web at www.livepositively.ca.

On the theme “Who cares?”, here are some of the main messages in these ads:

- “In Canada, 1 in 10 children start their day without breakfast. Who cares? Coca-Cola and the kids’ breakfast club want more young people to start the day on the same footing.”
- “Not all teens have access to physical activity programs in their community. Coca-Cola and ParticipACTION want youth to get active.”
- “Coca-Cola has committed $3 million over 5 years to support polar bear conservation.”

By promoting the brand’s image, these messages create sympathy capital and clearly try to deflect discourse about the harmfulness of its products. We may well wonder whether these commitments give the campaign a greater return than they cost to fund.

**Gatorade and Hockey**

In Canada, Sidney Crosby is one of the many athletes signed up to advertise Gatorade. The ad opposite promotes the G-series, a set of drinks to consume before, during and after strenuous effort. We know that hockey is a highly popular sport in Canada, especially among young people. By associating with a popular athlete, Gatorade® adds credibility to its claims about the usefulness of its products and may influence children, teens and parents. In fact, parents are influenced by an association with a sports celebrity and would be more likely to choose nutrient-poor products if it was the case. We should remember that drinks for athletes should be used only during intense physical activity, primarily when it lasts more than an hour.
Radio Advertising

Radio remains a good way to reach young people because they still listen to it a lot. Young Quebeckers are said to listen to radio more than 8 hours a week, and for young Canadians as a whole the figure is nearly 9 hours.144

Radio ads are often aired when a new product is being launched, a particular chain is running a price promotion, or when an event is being sponsored.

We have in mind, among others, the recent launch of “méchante boisson®” (loosely: “mean” drink) as a partnership between Couche-Tard and the radio station NRJ, also dubbed “méchante radio” (“mean” radio).145 The role of retailers should not be underestimated in setting up this type of campaign.

The Doritos-Pepsi cross-promotional campaign also runs radio ads. A man eating spicy Doritos “burns” his tongue and calls customer service to ask them what to do. They tell him to drink a Pepsi immediately, which he does and declares that it works great.
Print Media

Printed advertising is generally part of most promotional campaigns and is used to boost visibility, drive home the message and the brand image promoted by other media (television, Internet, social media). "Print media" includes ads in magazines and newspapers, billboards and posters, and inserts in the promotional material for various events. Looking at various examples, we find print media are still popular for SSB campaigns and that the ads used are adapted to the target public.

The Red Bulletin

According to Red Bull, “Print may be one of the oldest types of media—but that doesn’t mean it has to be old-fashioned.” The brand has also developed its own magazine, The Red Bulletin, with a print run of over 3.6 million copies a month, distributed with 22 dailies around the world. The content is consistent with “The World of Red Bull”: sports, music and other trendy activities. The brand uses it to boost its image and the messages carried by its sponsorships or its website. The brand also distributes other publications specializing in various fields (music, art, sports, etc.) in 17 countries, including Canada.

Coca-Cola Ads against a Tax on SSBs

Although sugar-sweetened beverages are increasingly criticized by many health professionals and entities including the Weight Coalition, and with debate raging about the possibility of taxing these products, Coca-Cola paid for printed ads in the Quebec daily La Presse and elsewhere, in 2010. These ads once again drive home the brand’s message:

- Coca-Cola promotes individual choices by displaying the calories on its products’ front labels: “It’s just one example among many that we’re doing our part to help improve the world in which we live,” is written in an ad.
- Coca-Cola offers a multitude of products, including juices and zero-calorie versions.
- “Coca-Cola creates many jobs around the country”, implies that a tax could impact jobs.
Vitaminwater campaign in Montreal

In summer 2010, an advertising campaign using posters was launched to promote Vitaminwater®. By choosing Montreal personalities such as Mado Lamotte (drag queen), Alexandre Champagne (comedian) and Thomas Leblanc (editor-in-chief of Nightlife magazine), the campaign illustrated “Montreal’s cultural, sporting and multi-ethnic diversity”. The posters were put up at key locations: near Metropolis (a concert venue popular with young people), near Jacques Cartier bridge (high-traffic area), in metro stations, at La Ronde (a theme park popular with young people) and on some taxis (mobile ads).
**Internet**

In Quebec, Web-based advertising investment amounted to $424 million in 2010, the 3rd largest spend after TV and dailies. Internet advertising has grown more strongly than in any other media, up 20.5% since 2009.\(^{149}\)

In households with children under the age of 18, Internet use increased from 41% in 1999 to 73% in 2003.\(^{150}\) According to a CEFRIQ survey of Quebec’s “C” generation\(^{v}\) (12- to 24-year-olds), 64% of them have a desktop computer, 39% have a laptop, and 91% have high-speed Internet access at home.

**Table 3: Internet use by young Quebeckers (%)**

Adapted from CEFRIQ survey data

<table>
<thead>
<tr>
<th></th>
<th>10 hrs or less / week</th>
<th>11 to 20 hrs / week</th>
<th>20 hrs or more / week</th>
</tr>
</thead>
<tbody>
<tr>
<td>12- to 17-year-olds</td>
<td>43%</td>
<td>32%</td>
<td>25%</td>
</tr>
<tr>
<td>18- to 24-year-olds</td>
<td>27%</td>
<td>32%</td>
<td>40%</td>
</tr>
</tbody>
</table>

This means that 25% of 12- to 17-year-olds qualify as “heavy” users with an average connected time of 20 hours or more a week. Of all age classes in Canada, 12- to 17-year-olds are the second-heaviest users of the Internet (the heaviest users being ages 55 and over), and Quebeckers of that age top the list.\(^{152}\)

But what do young people do on the Internet? Here are some of the key Web activities by teens ages 12 to 17\(^{153}\):

- Email: 65.8%
- Instant messaging: 62.8%
- Books/games/music/films: 61.8%
- Personal networking: 40.3%
- Search engines: 34.9%

If we analyze these results, we find that young people use the Internet mainly to communicate and chat, but also to perform searches and find information about their interests, listen to music, play games and watch films.

In a report published by the WHO, we read that “young people are the ideal target group for Internet advertisers because they stay online for longer periods than adults and participate in a wider range of online activities. Online marketing strategies aimed at children include interactive games and activities, clubs, competitions, attractive sites with bold, eye-catching graphics and opportunities to build online communities through chat and email facilities.”\(^{154}\)

\(^{v}\) “C Generation” can also refer to anyone who grew up with information technologies & Internet.
According to the *National Policy & Legal Analysis Network to Prevent Childhood Obesity*, websites and social networks are effective ways for SSB industries to keep their fans and consumers informed about new products on the market and promotions, as well as to interact with them and learn more about them.

The Internet is also a gold mine for targeted advertising, facilitated by data gathering which is itself facilitated by the brand’s Web-based activities. Online advertising appears not only on the brands’ websites, but also on third-party websites such as this Couche-Tard ad for Pepsi on this cinema website.
Websites

Today, practically all companies have their own website (sometimes several to reach different targets) and maintain a presence on social media. This means that when young people surf and run searches, they can easily find out about a brand, interact with it, as well as communicate with their own peers about it.

Websites reflect the brand’s image and relay the symbolic dimension of its selected positioning: extreme, music, trendy, innovative, etc. Brands thereby occupy a niche that reflects the interests and lifestyle of the target consumer. Young people end up identifying with such-and-such-a-brand and join a “virtual community” that shares the same interests.

Web content is consistent with and forms part of a communication strategy that includes multiplying the brand’s media platforms.

Analyzing a website allows you to easily identify the intended target market, and many websites are aimed at young people, even the very young. In fact, we know that children are in front of screens at a younger and younger age, that they use the Internet and that they are receptive to these promotional strategies. However, they are no less demanding, and the intrinsic “added value” of websites determines that they’ll most likely be back for another visit. SSB companies understand this well, which is why the product and nutritional information is often relegated to further down the site. What’s essential for the brand is to reach young consumers and offer content in line with interests (sport, music, fashion, etc.) and create consumer loyalty by offering various activities that will encourage them to:

- View the website regularly (video/photo content updated regularly)
- Do things, spend time on the website (vote, competitions, games, gifts, etc.)
- Buy (PIN codes under bottle caps)

Visitors are generally invited to register on the websites, thereby allowing the brand to access and collect personal data (email, telephone, etc.), which can then be used on various occasions. This is what we will see in the section on email and mobile phones.

Icoke.ca

The Coca-Cola® Company currently has at least three active websites in Canada. The www.cocacola.ca site, however, has been being revamped over the last few months, while www.livepositively.ca is being greatly expanded. The latter is mainly geared toward adults, as it supplies product information and promotes the company’s “socially responsible” commitment to community and environment. We will return to these two themes dear to the brand’s heart when we look at the philanthropic activities of SSB companies. The website that we have chosen to look at closely is www.icoke.ca because it clearly targets young people, teens in particular.
The first thing that hits you when you enter the website is the informality/familiarity of the language, which is not true of the brand’s other sites. Music is clearly the heart of communication intended to reach teens. Here, you are informed that the underside of every 591 ml bottle cap has a PIN that lets you download a song for free. To obtain the actual download code associated with the PIN, you need to go to the website or “text” it. To do so, you need to have a profile and must therefore enter your personal information (useful for the brand’s database).

Another feature is that in the fall of 2011, young people were invited to vote (by email) for a “talented” Canadian singer to accompany Taio Cruz when recording his new song. On the website’s home page, we learn that the winner of the vote is Philippe, a music student at UQAM. If you want to listen to the new song, you are redirected to another Coca-Cola website dedicated to music: www.coca-cola.com/music/en_CA/portal2/index.html. We learn that the “competition” was run in a number of locations around the world and that an artist was voted each time to redo the same song.

The company has set itself the target of doubling its revenue by 2020. To do so, it clearly needs teens, because by 2020 one-third of the world’s population will be younger than 18. It is with this target in mind that Coca-Cola has developed its worldwide “Coca-Cola music” campaign aimed at adolescents. It was launched in 2011 with “Maroon 5 – 24h session” where young people were invited to interact with the group to create a new song in 24 hours.

Back at icoke.ca, you can also accumulate PINs to get “rewards” (ringtones, screen wallpaper, movie tickets or other Coca-Cola gifts): “Have a bunch of iCoke Points™? Nice. Now, what are you waiting for? Use them to get great rewards! New stuff is added all the time. Come back often so you don’t miss out.” We note here that the young person is being invited subtly to check the website regularly. It also offers contests and “extras”, such as a recipe book to learn to cook with Coca-Cola®.
Clicking on www.redbull.ca, it is astonishing to find virtually no mention of the drink, despite the fact that it shares the brand’s name. Instead, the home page allots most of its space to the brand’s various sponsorships (mainly music and sports). Various tabs invite us to discover the athletes, teams, sports and events that the brand sponsors in Canada and around the world. Red Bull is also keen to associate itself with music and “youth” culture with its DJ contests (Thre3Style), its own radio (Red Bull Music Academy Radio), art exhibitions (can-based sculptures), photo competitions, its fashion events (Red Bull Fashion Factory), etc. You can surf this multimedia website for hours with its many videos and photos that always feature the famous red bull. You get the impression that the Red Bull company is present everywhere it needs to be to project a cool, innovative, creative and—some would say—“unique” image. And that is the brand’s objective: “to be unique” through its various activities that “make the brand come alive”.

**Red Bull**

![Red Bull screenshot](image-url)
In an interview, the Red Bull marketing manager for eastern Canada, Sébastien Paradis, confirmed that investing in events was a way of “making the unique experiences/emotions of people come alive” and that the aim was to have people say “only Red Bull can do that”. An example is the documentary “The Art of Flight”, produced by Red Bull, featuring extreme snowboarders (released in Vancouver, Toronto, Quebec and Montreal). Although the brand’s logo is very visible in this documentary, Sébastien Paradis insists it is out to promote the athletes and not the brand.

The website also relays content from other media. You can find the printed Red Bulletin as well as TV ads. You can also watch other ads that are “banned from TV” according to the website. In one of these, you see a child giving a Red Bull to two pigs (that then rush to drink it). The child then goes back to his mother to ask if he can go to a “men’s club”. His mother replies: “when pigs fly”, whereupon an image appears of pigs with wings. So Red Bull lets pigs fly and the child goes to a cabaret, circumventing parental authority.

But Red Bull also has a multitude of micro-websites developed to promote certain online media or special occasions. These include the following, among others:

- **rebulmediahouse.com**: features the brand’s global media networks and offers a “unique variety of media content in lifestyle, fun and sports”
- **redbullrecords.com**: releases by artists
- **redbullmusicacademyradio.com**: online radio
- **artofflightmovie.com**: website dedicated to the documentary of the same name
- **redbullstratos.com**: the Red Bull mission to do a free parachute jump from the highest altitude ever
- **rebulairdrop.com**: a vast promotional campaign on campuses over the world – “Parachuting” cases of Red Bull by helicopter onto campuses. In Canada, the operation was carried out at Sherbrooke (Qc), Laval (Qc), Chicoutimi (Qc), University of Saskatchewan and the University of British Columbia.
The means used to ensure Red Bull’s massive Internet presence are certainly impressive.

**Chubby**

Think back to this soft drink that we looked at in Volume 1 of this report. With its round packaging and varied colours, it is aimed primarily at children. The brand’s website fully confirms this target. Welcome to “Chubbyland”.

The home page has lots of tabs. If you click on “Parents”, you are presented mainly with nutritional information and a FAQ section. But in the middle of this same section, a survey strangely appears aimed at children with questions such as “What’s your favourite animal?” and “Do you have your own cell phone?” (in a survey that claims to be for 3- to 13-year-olds), “What computer games do you play?”, etc.

Here, it seems, is a good way for the brand to obtain information about its young consumers and thus be able to adapt its communication strategy.

If you then go to the “Kids Club”, you can participate in different activities. When we looked at the site, only the games were accessible. Although this website is not directed solely at Canadian children, it is important to highlight its existence because these beverages are being sold mainly in Ontario, and the website is easily accessible regardless of where the children live.
**Vitaminwater**

The tone and language used on the Vitaminwater website is also very informal and trendy, but it is aimed more at older teens and young adults. The brand capitalizes on latest trends and it targets “connected” youth. Moreover, it is clearly these “connected” young people that it targets to consume and promote the brand: “[Darius Bikoff] went on to build Glacéau Vitaminwater® into the leader of the active lifestyle category. [...] in the U.S., Glacéau Vitaminwater® is already iconic among tastemakers, trendsetters, and those with a thirst for their own well-being. Open any lifestyle mag. See those beautiful people, laughing their self-consumed laughs, air-kissing each other at chi-chi events. Now look closer. See it there? It’s Glacéau Vitaminwater®.”
Social Media and Viral Marketing

Social media including Facebook, MySpace, YouTube, Twitter, Dailymotion, Flickr, Messenger, etc., are very popular with young people. Teens devote 1 hour and 15 minutes a day to talk to their friends on social networks and generally contact 15 friends a day. Teens use social media significantly more than the rest of the population and also spend more time there than their elders.

Facebook is first on the list of social networks used in Quebec and Canada and is also the most-viewed website. Worldwide, Facebook has no fewer than 750 million users. In 2011, Canada had about 18 million social network members. Significantly, 29% of teens added at least one brand to their Facebook “friends”.

Although (at the time of writing) Facebook specifies a minimum user age of 13, many children younger than 13 seem to be active on this social network. In 2010, of the 20 million minors actively using Facebook, more than a third (7.5 million) were under 13 years of age, and 5 million of those were younger than 10. A study conducted in the United Kingdom concluded that 34% of young people 8 to 12 years old lied about their age to open a Facebook, MySpace or Bebo account.

YouTube, for its part, reports more than 700 billion videos watched, many of them by teens.

As for Twitter, 18% of US users are 12 to 17 years of age, and a higher percentage of users are brand fans than on any other social media.

SSB Companies Well Represented

The great majority of SSB companies are present on social media. They also have a large following. On May 10, 2012, we counted the following on Facebook alone:

- Coca-Cola: 42 million fans (about 0.6% of the world’s population, making it the most popular brand on Facebook)
- Red Bull: 28 million fans (making it the 4th most popular brand on Facebook) – Just like for its website, it has one main Facebook page, but also several other pages relating to sponsorships / special events
- Monster: 16 million fans
- Dr Pepper: 12 million fans
- Pepsi: 8 million fans
  - Pepsi Quebec: 85,000 fans
- Vitaminwater: 3.5 million fans
- Etc.

vi French data
If SSB companies are present on social media, it is for a number of reasons:

• To promote their brand and their activities
• To learn more about their consumers, their consumption (what they feel and think about the products and trends) and their perception of the brand (surveys, discussions with and between consumers)
• To create an emotional link with users
• To engage consumers so they become communication vectors (viral marketing)
• To regulate “online” content about their brand

Moreover, these brands are highly proactive, regularly posting new content (status, photos, videos, contests, etc.) to keep young people alert and receptive, engage them and create more activity: all for the purpose of building a stronger emotional link with them. For example, energy drink companies generally do not use social media to promote their products, but they choose to use social media to publicize their sponsorships to support their brand image.
Viral Marketing on Social Networks

Consumers are constantly exposed to this marketing strategy, which is widely used on social networks. They become potential infection vectors to their friends & family, even if they are unaware of their central role in the brand’s communication strategy.

Let’s take a concrete example to illustrate this phenomenon: I’m a regular user of Facebook and have about 130 friends. One day, for any number of reasons, I decide to become a “fan” of Coca-Cola’s Facebook page by clicking “Like”. My 130 friends are immediately alerted because this information appears on my news feed. This may cause them to go view the Coca-Cola page themselves and become fans, too (1st infection). Just like the 42 million other Coca-Cola page “fans”, I am constantly exposed to the publications about the brand that appear on my home page. If I choose to like, comment or share one of those publications, once again my 130 friends will also...
be exposed to the activity (2nd infection). And as Facebook is also a “social recognition” tool, I choose to share any “cool”, “funny” or “trendy” content that might interest my friends, who in turn may share it with theirs. We begin to see the massive viral potential of Facebook.

In short, if Coca-Cola publishes an amusing video, its 42 million “fans” will be infected. These 42 million people may, in turn, choose to infect their friends, who will do the same on their network. And so, in one click, tens of millions of people are likely to be exposed to the brand.

Here, then, are some characteristics of viral marketing:

- Massive use of social media
- Consumers as the main vectors in communicating the brand
- Minimal costs
- Immense repercussions (e.g.: can reach 42 million “fans” on Coca-Cola’s Facebook page)
- Fast dissemination
- Message enjoys positive connotations because recommended by a friend

Young people are active on social media, and their viral potential is massive for the brand. Peer pressure is central to their eating habits as “60% of young people, when planning to buy, trust the opinion of a friend or acquaintance who has tried the product. As this result shows, nothing is more important, when it comes to influencing young people, than to let them communicate easily with their peers and, of course, entice other members of their group.” According to Michelle Blanc, “Social media have changed how we consume in the sense that other consumers’ opinions are a key element in the decision-making process.”

Consumer behaviour specialist Sandrine Prom Tep adds: “Facebook isn’t just a tool that young people use to share the latest gossip going round at school or work. It’s also a tool they use as consumers to contact companies that they like or to talk about their favourite brands with their friends.” She goes on to say that a survey conducted in 2010 in 41 countries revealed that “54% of high-earning young people use Facebook’s ‘Like’ feature to let friends and family know they like a particular brand, 38% use Facebook to post comments on brands, and 30% want to ‘share’ brands they like with their friends, in order to point out that they are central to what they do and like.”

A proactive brand with young fans can benefit from their viral communication potential in addition to using them as a source of consumer data to adjust its products to meet the desires of those same young people. Indeed, Sandrine Prom Tep encourages businesses to “use ICT (information and communication technologies) as information gathering tools”. In August 2011, Coca-Cola’s North American subsidiary was looking for an agency that could track what consumers were saying about the brand on social media sites so the company could improve its product marketing and identify consumer sentiment about specific products. This strategy had already been applied by Gatorade in April 2010 with its “Gatorade Mission Control” geared toward monitoring what was happening on social media, as well as to interact with consumers and communicate brand strategy.
Among Quebec Web surfers, the reasons for tracking a brand, company, entity or government ministry on social media are to:

- Find out what’s new (19.2%)
- Get answers to questions (16.8%)
- Find special offers or deals (14%)
- Have fun (13%)
- Interact with a community with the same interests (10.2%)
- Keep in touch with a company or brand (8.3%)

Companies can also buy advertising to give them targeted placement on users’ Facebook pages based on specific criteria (geography, main interests, etc.). YouTube also carries advertising banners.
As a picture is worth a thousand words, we have chosen to show some SSB companies' Facebook statuses, sorted by theme.

Promoting a product / the brand’s activities
Obtaining information about the consumer

Creating an emotional link
Engaging the consumer (contests, etc.)
YouTube

Most brands have their own “channel” on YouTube, which allows them to easily distribute video content (which can be shared by email or on Facebook, Twitter, Tumblr, Google+, etc.). SSB companies’ YouTube channels are, once again, dedicated to the brands’ sponsorship activities (sport, music, etc.) or their many “cool” initiatives. The volume of traffic on these channels is massive.

Red Bull’s main channel (as this brand also has other more specific channels) has no fewer than 283 million views, which means as many brand exposures and potential sharing on social networks.

Sharing a YouTube video on another network is easy by using the target network’s tabs below each video.

Although Coca-Cola’s partnerships with Euro 2012, the Olympics, musical artists, etc. are present on its YouTube channel, the brand relies greatly on its original and unique promotional initiatives to entice consumers and to create a strong emotional link.

Notable among the 1,000 videos posted online are the “Coke Hug Machine” which dispenses a Coca-Cola when you hug it, the travels of the “Happiness Truck” around the world, or the “Happiness Plane” to make returning from vacation less painful (in-flight magic tricks, gifts on arrival, etc.).

The Pepsi channel mainly carries ads.
Emails

In Canada, revenues from email advertising were estimated at $11 million in 2010. Emails are the main form of Web use by Canadian teens ages 12 to 17. This tool is therefore of great interest to marketeers targeting young people. How do you obtain email addresses? Most of the time, it is the young people themselves who provide it by registering on the brands’ websites, taking part in contests, becoming “fans” of the brand on Facebook, answering surveys, etc. The company can then easily create a database to allow it to adapt its outgoing emails to a particular target.

Through their email advertising, companies can reach a large target audience, pre-selected in terms of interests, to transmit information about new products, invite them to special events or send them discount coupons. For example, subscribers to www.icoke.ca receive emails strongly inviting the reader to:

- go to the associated website to “learn more”
- participate in activities
- download a gift card (e.g., $5 off at Pizza Pizza)
- send a text message to participate in a contest
- obtain coupons to buy a drink for 5 cents at certain festivals such as the brand’s anniversary, La Fête nationale du Québec (Quebec’s National Holiday), etc. (Note that some coupons are not valid for diet drinks.)
- take advantage of a time-limited joint offer by Coca-Cola and McDonald’s for $1 drinks
Advergames

These are advertising games developed by companies to promote their particular brand or a particular product, and they are prominent in the gaming world. They are generally available online for free on the companies’ websites. In a study analyzing the food industry’s online marketing strategies aimed at children and teens, the authors arrive at the conclusion that 63% of the websites of top SSB companies offer advergames, thus demonstrating the popularity of this strategy to reach young people. The majority of advergames promote nutrient-poor foods. Of the US$1.6 billion that the food and beverage industry invests each year in the United States to target children and teens, US$295 million, or 18% of the total budget, in 2007 was allocated to developing advergames.

Here are some of the key reasons that companies make massive use of this strategy to reach young people:

- A low-cost way of reaching a large audience
- Encourages longer exposure to the brand (versus a 30-second TV slot)
- Promotes brand recognition / Players remember the brand
  - Children more likely to choose the advertised product after playing the game
  - More memorable than online banners
- Allows to personalize the experience
- Encourages loyalty especially if the game offers “rewards” (contents, prizes, evolving game, etc.)
These online games offer a much more fun experience and create engagement/commitment to the brand that is not possible to achieve through “traditional” media, which means a stronger link is created between the brand and the young person. The link is also reinforced by the fact that exposure to the brand is fun and takes place over an extended period of time. To work properly, the games are usually easy to understand and easy to play. Advergames positively influence children’s opinions and attitudes to the food product being promoted and even teens do not always understand the commercial nature of these games.

When it comes to SSBs, we have not found companies systematically using advergames on their Web sites but we should remember that teens are largely targeted by these companies. They would rather engage and build loyalty among this audience by offering contests, video content, musical events, etc. However, we have found some examples.

**Boundaries Difficult to Trace**

Given the scope and extent of the advertising strategies developed by Web specialists, the lack of boundaries in this medium, its relative newness and the fast development of online strategies, it becomes more difficult to protect children. In Canada, there are no regulations specifically governing Web-based marketing aimed at children. Every company is free, on a voluntary basis, to develop its own self-regulation criteria.

Moreover, according to an opinion by the UQAM international law and consumption comparison research group (Groupe de recherche en droit international et comparé de la consommation), advertising on networks such as Facebook and MySpace are not subject to the Consumer Protection Act (CPA) in Quebec because the sites’ terms of use specify a minimum age of 13. However, many young people under 13 years of age are active on these social networks. Regulatory measures should therefore be put in place to protect them.

---

vii Sections 248 and 249 of the province’s 1978 Consumer Protection Act ban advertising that targets children under 13 years of age.
Mobile phones

Mobile phones have a major role today in communication strategies. The advent of smartphones has allowed promotional strategies to diversify to reach consumers via their cells. Revenues from mobile advertising (mobile messaging, mobile content, mobile advertising and mobile applications) amounted to $11.9 million in 2008, up 347% from the year before.201

According to Dominic Gagnon, president of Piranha, an agency specializing in mobile marketing in Canada, text messaging is still an unparalleled viral tool, as 92% of messages received are read and a quarter of them are transferred. This strategy thus allows the consumer to be reached fast, as 95% of messages received are read within 15 minutes of being sent, whereas, for example, only about 30% of emails are opened and then may not be read for hours. And there are many ways of collecting young people’s cell phone numbers to reach them more easily afterwards: contests, registrations on websites, reward schemes, etc.

Text message campaigns today are accompanied by various applications, games, contests or advertising banners. And as smartphones users now surf the Web, the major companies have created “mobile sites” in formats adapted to cell phones to make them easier to read.
Cross-promotion

Cross-promotion allows products to be promoted together by using each one’s visibility to boost the other in the campaign. In the United States, SSB companies spent US$9.5 million on cross-promotion to target teens and US$3.5 million to target children.202 Cross-promotion can take different forms:

- The use of personalities/celebrities on food packaging. (This technique seems to be very popular to reach young people and generally relates to products that do not meet the nutritional criteria recommended for young people.203)
- Distribution of figurines in food packages for children when a film comes out that is popular with kids (in fast-food chains).
- Associating two products from the same company (promoting multiple purchases).
- Associating two companies to sell “complementary” products based on a win-win agreement.
- Etc.

For example, this PepsiCo campaign is geared toward simultaneously promoting its new spicy Doritos as well as its Pepsi soft drink using the slogan “Enflamme tes papilles – Éteins le feu” (in English: “Cool the Burn”).204 In the ad below, found in a magazine geared toward convenience stores, the retailer is advised to participate in this campaign by “merchandising these products together to grow the size of the basket”. This campaign also went out on radio.
In Volume 2, we discussed partnerships between fast-food chains and SSB companies that generally translate into exclusive distribution contracts. We also see cross-marketing campaign associated with such partnerships. Both companies win from these promotions and mutually benefit from their respective brand image and reputation.
Contests

Contests are generally highly successful, especially among young people, as they have less purchasing power. Contests also offer them a way of obtaining “gifts” relatively effortlessly. However, they are not set up by the major brands for entirely altruistic purposes, as they often win in the exchange.

There are many reasons for a company to be interested in setting up a competition:

- Promote a brand or product (at a launch, etc.)
- Generate traffic on the brand’s website and/or Facebook page
  - Expose consumers to the brand
- Encourage participants to register on the brand’s website and/or Facebook page
  - Increase the number of Facebook “fans”
  - Send information about the brand more frequently
  - Infect the fans’ social network (viral marketing)
  - Do targeted advertising
  - Create a database using the collected information
- Get the brand’s Web community excited in the case of an online competition
- Differentiate its products at points of sale (POS advertising associated with a competition as in the photo opposite)

Competitions are often associated with SSB brands. We have chosen an example of an online competition that clearly illustrates the data-gathering aspect.
Pepsi’s Online “Celebrate Hockey’s Heroes” Contest

To participate in this online contest, which targets Canadian residents 13 years of age and over, users need to enter the code that can be found on many of the brand’s soft drinks such as Pepsi, Mountain Dew, 7UP, Dr Pepper, Crush, as well as Gatorade, whereupon they can enter the prize draw.

To take part in the draw, they need to enter personal details. They can also use their Facebook login to fill in the fields, thereby also informing their network that they are participating in the draw. This is a good example of viral marketing. The information is thus propagated quickly to a large number of people, thereby multiplying the potential number of contest participants.
PepsiCo Canada has a Privacy Policy. If you enter personal data to participate in a contest, you are required to first read this policy, which states how any data you enter is used. You see, in particular, that “By entering this site or participating in any of our contests or promotions, you (and your parent or legal guardian, as the case may be) signify that you acknowledge and accept these Terms of Use. If you do not accept these Terms of Use, do not use this site and do not submit any information.” So, if you are not comfortable with how your personal data will be used, you should not enter them, but then again you need to know that. The privacy policy is certainly available on the contest’s home page, but it is not highlighted in an obvious way.

If you are a model user and carefully read the privacy policy, you quickly face a big dilemma when you see: “If you choose not to submit your personal information, your participation in the contest or promotion may be compromised.”
According to PepsiCo, this information can be used for purposes other than the contest. And therein lies the main interest in collecting it. Gathering information via a contest allows the brand to create a database for its marketing activities: “We may also request personal information from you for purposes other than administering the contest or promotion, for example to communicate with you, to better understand your needs or to enable us to improve the products and services that our advertising agencies and our organization offer you.”

And what about children? “If you have not reached the age of majority in the province of territory where you live, you must obtain permission from your parent or legal guardian before providing us with any information that can identify you, unless the law allows it.” The relevant parental permission consists of a simple click:

![Image of a web interface for a contest]

Children over 13 years of age, attracted by the contest, can therefore easily bypass parental authority and allow the brand to enrich its database of young customers. In fact, it is highly unlikely that a child or adolescent would read the Privacy Policy before entering their personal data.
Product Placement

Product placement[^207,208,209,210] is a form of advertising that is often nuanced and subtle. It generally consists of making a logo, brand or product appear in a way that seems entirely natural as part of a scene in a film, a TV series or in a video game or entertainment program so that the viewer is not always aware of being exposed to advertising. However, when an actor drinks a Pepsi, there has definitely been a monetary arrangement between the manufacturer of the product and the media company in question. This technique is also widely used by agri-food companies, especially since they witnessed its effectiveness when sales of Reese’s products jumped 65% after appearing in the film *E.T.*

It seems the way in which the product is incorporated into the scene (background, used by the actor or integral part of the story) influences the recognition of the target brand as well as attitudes toward it.[^211] According to Bernard Dagenais, having an actor use a product gives it a symbolic value in the sense that the viewer “attributes to the character the decision to use it”.

Even simply placing a sugar-sweetened beverage on the table can influence implicit memory and implicit choice.[^212] In a study, children who had watched a scene in a film in which a Pepsi® bottle had been placed on the table were more inclined to choose Pepsi® over Coca-Cola® than those who had watched the same scene without the Pepsi® bottle, even when they did not remember seeing the Pepsi® bottle in the film.[^213]

Product placement lets you “simultaneously circumvent the exigencies of traditional advertising and the defensive behaviour of some viewers when faced with advertising”.[^214] It allows an emotional connection to be created with the consumer, to validate purchasing it, raise awareness and provoke a positive association with the brand.[^215] In contrast to TV advertising, which can be skipped, the viewer watches the program containing the product placement. It is also very economical for companies because, depending on the length of the scene, product placement costs 10% of the price of an average 30-second ad on Canadian television[^216] and lasts in time.

In the United States, in 2006, the food industry spent US$5.2 million on product placement specifically targeted at young people 2 to 17 years old, more than half of their total product placement budget.[^217] SSB industries accounted for 87% of spending on product placement aimed at young people (US$ 4.5 million).
Of the 200 top-20 US box office films between 1996 and 2005, more than two-thirds contained at least one food, beverage or restaurant brand. SSBs represented 76% of the beverages seen. Regardless of the methodology used, Coca-Cola is the product placement champion in the beverages category, at least in the United States.

In February 2011, Coca-Cola was even ranked 2nd among the top-10 brands with product placement.

There is generally little product placement during young people’s peak viewing hours, except by Coca-Cola which uses this strategy heavily to reach them, although the brand has agreed to refrain from advertising to children in the United States. Children’s exposure to Coca-Cola products via traditional advertising has been much less frequent. This finding once again demonstrates the limits of self-regulation.

In Canada, product placement is not regulated. In 2007, the Canadian Radio-television and Telecommunications Commission (CRTC) which supervises and regulates the entire radio, TV and telecommunications industry, even authorized channels to use more product placement in their broadcasts.

In Quebec, according to its Consumer Protection Bureau (OPC), the placement of a product or trademark in a cinematic work aimed at children, clearly identifying the product placed and consumed by its characters, can be considered an advertising message prohibited by the Consumer Protection Act.

---

\[\text{Table 17. Total screen time for appearances by brand}\]

<table>
<thead>
<tr>
<th>Brand</th>
<th>Category</th>
<th>Total screen time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coca-Cola Classic</td>
<td>Regular soda</td>
<td>175.7 min, 61%</td>
</tr>
<tr>
<td>Pepsi</td>
<td>Regular soda</td>
<td>27.2 min, 10%</td>
</tr>
<tr>
<td>Snapple</td>
<td>Fruit drink</td>
<td>10.8 min, 4%</td>
</tr>
<tr>
<td>Red Bull</td>
<td>Energy drink</td>
<td>10.2 min, 4%</td>
</tr>
<tr>
<td>Gatorade</td>
<td>Sports drink</td>
<td>8.4 min, 3%</td>
</tr>
<tr>
<td>7 Up</td>
<td>Regular soda</td>
<td>8.0 min, 3%</td>
</tr>
<tr>
<td>Kool-Aid</td>
<td>Fruit drink</td>
<td>6.0 min, 2%</td>
</tr>
<tr>
<td>Vitamin Water</td>
<td>Flavored water</td>
<td>5.7 min, 2%</td>
</tr>
<tr>
<td>Dr Pepper</td>
<td>Regular soda</td>
<td>5.1 min, 2%</td>
</tr>
<tr>
<td>Sunkist</td>
<td>Regular soda</td>
<td>4.8 min, 2%</td>
</tr>
<tr>
<td>Mountain Dew</td>
<td>Regular soda</td>
<td>4.7 min, 2%</td>
</tr>
</tbody>
</table>

*Includes all sugary drink and energy drink brands that contributed 2% or more of total screen time for appearances.

Source: Nielsen

---

\[\text{TOp 10 BRANDS WITH TV PRODUCT PLACEMENT}\]

<table>
<thead>
<tr>
<th>February 1 - February 28, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Brand</strong></td>
</tr>
<tr>
<td>Chevrolet</td>
</tr>
<tr>
<td>Coca-Cola</td>
</tr>
<tr>
<td>Microsoft</td>
</tr>
<tr>
<td>Cybex</td>
</tr>
<tr>
<td>Apple</td>
</tr>
<tr>
<td>Everlast</td>
</tr>
<tr>
<td>Ford</td>
</tr>
<tr>
<td>Facebook</td>
</tr>
<tr>
<td>Dell</td>
</tr>
<tr>
<td>Cadillac</td>
</tr>
</tbody>
</table>

---

\[\text{viii According to the same study, Coca-Cola products were seen an average 198 times by children and an average 269 times by teens in prime-time shows during the year, representing 70% of children’s total exposure and 61% of teens’ total exposure to brand appearances. One program, American Idol, represented more than 95% of total exposure.}\]
In TV Programs
The show *American Idol* generally tops the list in studies of product placement. We think in particular of the arrangement whereby the Coca-Cola® Company paid Fox Network US$20 million to incorporate its brand into the program. Although this show is not specifically aimed at children, it is one of the most popular among Canadians ages 2 to 11.224

According to the president of the *Writers Guild of Canada*, it also seems that Canadian TV shows, on lower budgets, are increasingly incorporating brand placement into their scripts.225

On the *Degrassi* series on CTV, you can see Pepsi® vending machines.226 This show’s target audience is young people.

In Films
In Video Games: “In-Game Advertising”

A little-known marketing strategy is product placement in video games. Not to be confused with “advergames”, which are overtly promotional games distributed for free over the Internet, “in-game advertising” places brands or products in popular existing video games (consoles and computers). In-game advertising in Canada generated $2 million in revenues in 2010.228

Lucrative for video game companies, this strategy could simultaneously influence brand recognition, brand image and attitudes toward it, as well as consumption of the advertised products.229 Some companies even specialize in in-game advertising230 and how to reach teens, great fans of video games. Every ad that the player sees has been bought by an advertiser to display its brand in a given place during the round. Ads can be seen several times in the same game, and in the next round the ads may be different.231 It seems that they need to integrate into the selected game coherently for greater reality and that they must not be intrusive in order to avoid consumer complaints.232

This strategy could be very successful to reach young people as they play video games very regularly233:
- 96% of Canadian homes have a computer
- 48% of Canadian homes have at least one video game console such as a Xbox 360, Wii or PlayStation
- 91% of Canadian young people aged 6-12 and 80% of 13- to 17-year-olds played a video game in the 4 weeks before the survey

"Lucrative for video game companies, this strategy could simultaneously influence brand recognition, brand image and attitudes toward it, as well as consumption of the advertised products."

<table>
<thead>
<tr>
<th>Table 4: How often do young Canadians play video games? (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adapted from the Entertainment Software Association of Canada survey results</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Every day</th>
<th>Several times a day</th>
<th>Once a week</th>
<th>Once every 2 weeks</th>
<th>Once every 4 weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td>6- to 12-year-olds</td>
<td>26</td>
<td>57</td>
<td>12</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>13- to 17-year-olds</td>
<td>38</td>
<td>42</td>
<td>11</td>
<td>5</td>
<td>4</td>
</tr>
</tbody>
</table>
SSB companies are well represented in video games, particularly in sports games. In the examples that we saw, SSB companies can appear in different ways in the game. You may see the brand itself, its logo or a bottle or can. To maintain an air of “reality”, the ad is generally in the stadium banners or on giant virtual screens, or reproduced a sponsorship on a car. Ads or product placements in video games have a greater impact because there is interaction with the product or the brand rather than having a static ad on a billboard, for example.234

The basketball game NBA 2K11 is sold in Quebec and Canada and is rated suitable for ages 6 and older. The Dirt 3 rally game, however, is rated suitable for “teens”, i.e., for children ages 13 and older. This advertising strategy, like many others, is the result of intensive neuromarketing research geared toward growing the notoriety of a product and getting the brain to accept these brands to create memories that influence the consumer’s behaviour.235 With even adults barely aware of this type of hidden advertising, children are probably not insightful enough to adopt a critical attitude toward it. The disguised nature of this type of advertising can lower defences against companies’ persuasive intentions, even among adults.236
Sponsorship and Philanthropy

Sponsorship can be defined as the “provision of funds and other resources to an event or activity in return for access to the exploitable commercial potential associated with that activity”. Sponsorship of athletes, teams and sports competitions is effectively a common promotional activity to target children or teens. A Federal Trade Commission report on the youth-directed marketing activities and spending of 44 SSB companies states that “nearly all food and beverage categories have used sports sponsorship and endorsements by celebrities as promotional techniques, and these were mostly directed toward adolescents”. ix

SSB companies are major players in the vast field of sponsorship. Whether we look at the sports, music or entertainment world, large brands are heavily represented. Consider Coca-Cola®, associated with the Olympics since 1928, or the massive presence of SSB brands in extreme sports or action sports that are highly popular with young people.

First, sponsorship considerably increases the brand’s visibility and popularity among its target audience. Second, according to Dr. Corinna Hawkes, this technique has several “benefits”, such as reaching a large public if the event is broadcast around the world and being less costly than TV advertising. But this marketing strategy also allows values to be associated with lifestyles, thereby reaching consumers based on their psychographic characteristics. According to sponsorship specialist Pascale Chassé, “Sponsorship remains one of the only communication disciplines that socializes with consumers and establishes an emotional relationship with them.” She adds: “By associating with consumers’ passions, they gain pride of place among their fans.”

Teens are generally at a pivotal stage in their lives and are therefore more likely to identify with a brand that “speaks to them”. Hiring celebrities, sometimes “role models” for these young people, is a popular way among marketeers of achieving this. In the United States, soft-drink and other beverage companies spent US$27 million on sports sponsorships and celebrity-endorsed promotional campaigns directed specifically at young people.

Sponsorship is therefore a paying strategy to increase brand notoriety, influence consumer perception and enhance brand image. The influence of sponsorship on food choices relies on the impact of subliminal messages, among other factors. According to Nilli Lavie of UCL’s Institute of Cognitive Neuroscience, when you watch a sports event, ads in the background of an image receive little “conscious” attention, but your brain processes this information anyway. Your brain “is taken hostage” in a sense.

“When you watch a sports event, ads in the background of an image receive little ‘conscious’ attention, but your brain processes this information anyway.”

ix Free translation.
Sports Sponsorship

Sports and energy drinks

Red Bull® has built its brand image far away from traditional media. By targeting precise sub-groups of the population, it has been able to adapt its promotional activities and reinforce its emotional links with consumers. Extreme sports are featured heavily, which helps to consolidate the brand’s image (power and energy) as well as the sense of belonging to a “cool” phenomenon and trend. Red Bull® sponsors no fewer than 162 sport disciplines and 500 athletes around the world, has its own Formula 1 stable as well as two soccer clubs, and also organizes its own sports events (Red Bull Cliff Diving, Red Bull Air Race, Red Bull Fighters, etc.). The brand also has a strong presence on the Internet and on social media, where it regularly posts numerous videos and photos of the sports events that it sponsors. To better understand “The World of Red Bull” and the importance of sports sponsorship in developing their cool, dynamic, intense and unique brand image that is based on the slogan “Red Bull gives you wings”, you could watch this short video clip: http://www.redbull.ca/cs/Satellite/en_CA/Video/Welcome-to-the-World-of-Red-Bull-021243161794216.

Although the brand claims to target young adults, the promotional activities associated with sports sponsorships reach many teens looking for thrills and role models. Additionally, we know that young people are very involved in social media, which is precisely where the brand is also very active.

Red Bull® also sponsors sports camps for young people, such as the Red Bull Surf Camp which is aimed at 14- to 17-year-olds.

We should remember that energy drinks are not formulated to meet physiological needs connected with physical exercise and that the Quebec Association of Sports Physicians does not recommend consuming energy drinks while engaged in a sports activity. Sports sponsorship by SSB brands paints a contrasting and misleading picture for consumers, particularly young people. In addition to this implied performance relationship, Red Bull plays on the values of the extreme sports subculture to develop symbolic associations such as rebel, cool, extreme, fun, etc. Moreover, the Red Bull brand and eponymous red bull are omnipresent in these sponsorships, which normalizes the consumption of these drinks among all age groups.
Just like Red Bull®, the energy-drink brand Monster® sponsors panoply of sport disciplines, most of which are “extreme”, as well as many Canadian athletes. The brand also sets up Canadian events.
Indeed, the vast majority of energy-drink brands invest in sports sponsorship. Rockstar, a drink distributed by Pepsi®, sponsors some 20 sport disciplines (always in the same register of values: motocross, BMX, NASCAR, skating, skiing, boxing, etc.) as well as its stable of athletes (sometimes very young, as evident in the photo below).

AMP, another drink distributed by Pepsi, is no exception to the rule and sponsors athletes (in snowboarding, UFC, NASCAR).

Last but not least, NOS, a drink distributed by Coca-Cola®, is very present in the car rally world.
Coca-Cola and the Olympics

The Olympic Games are associated with a set of values and emotions. According to the International Olympic Committee, the Olympic rings are among the most well known symbols in the world. In addition, the media coverage is generally extensive, and public interest is high. The Vancouver Olympics had a record 3.8 billion potential audience around the world, about 1.8 billion of them watching on TV. In addition to televised coverage, the Games were also relayed on digital media platforms and mobile phones. It is estimated that 99% of Canadians were exposed to the Vancouver Games at least once.

“The Olympic Games represent for us a peerless platform to share our activities with everyone involved. This event brings together people from all around the world and allows us to spotlight our company.”
Thierry Borra, Olympic Games management director, The Coca-Cola Company.

Being an official Olympic sponsor allowed Coca-Cola®, among other things, to be the exclusive distributor of non-alcoholic drinks at that event, at least through 2020. In Vancouver alone, the company distributed 3.7 million drinks.
To be present at the Vancouver Games, Coca-Cola® handed over $212 million to the International Olympic Committee. After paying nearly $218 million for the Beijing Olympics, Coca-Cola saw its sales in China increase by 16%. The investment is therefore profitable.

But in addition to its local activities (distributing drinks and promotional items, promoting its environmental initiatives and physical activity programs), the Coca-Cola® brand also used this event for advertising, associating itself with celebrities, creating new cans, participating in the Olympic flame relay and related activities, all of which increase its visibility and reinforce the emotional link between the brand and consumers, especially the youngest of them (using bears).

The next Games will be held in London in 2012. Promotional activities associated with Coca-Cola® sponsorship began very early and promise to be diverse. The program includes music, young athletes, a strong presence on social media, and special focus on teens (on the pretence of instilling in them a desire to be active) and moms.

According to a survey by Ipsos Descarie for the Weight Coalition involving 2,300 respondents, 30% of Canadians find Coca-Cola® sponsorship of the Olympic Games inappropriate. Not only are sugar-sweetened beverages associated with obesity, but others also question the legitimacy of its sponsorship, given the impact on children and teens. This is the position of Michael F. Jacobson, executive director of the Centre for Science in the Public Interest (CSPI), Terence Stephenson, speaking for the Academy of Medical Royal Colleges (AoMRC) and Dr. Tom Warshawski, a British Columbia paediatrician.
Sponsorship of Musical and Other Events

Whether at events they have created themselves, or at already existing events, SSB companies will generally be where the young people are. In this respect, the Federal Trade Commission estimates that, in the United States alone, the soft drink industry spent US$65 million on event marketing aimed at teens, while juices and other non-carbonated drinks categories spent between US$7 million and US$8 million.270

The many events held in the summer are a good showcase for the major SSB companies. In 2011, although you could listen to music in the “Pepsi Slam Tent” at Montreal’s Francofolies festival, you could also get a free Dr Pepper®, or a Hype® energy drink at the Formula 1 Grand Prix. Red Bull® sponsored the 2011 Osheaga Festival. Pepsi® is the official supplier for the Jazz Festival; and Alex Coulombe, the Pepsi® bottler in Quebec, is an official partner of the Quebec Summer Festival. Far from being anodyne, these marketing operations are very profitable for the brands present. In fact, these wide ranging events give them great visibility among a widely diverse audience.
Coca-Cola’s Anniversary

In 2011, Coca-Cola celebrated its 125th anniversary and turned it into a major promotional event, offering fun activities (painting, sports demonstrations, temporary tattooing, etc.), organizing concerts and distributing free beverages and gifts at the venues. In Canada, the event was rolled out simultaneously in three cities: Montreal, Toronto and Vancouver. A video was also made of this occasion, and you can get a good idea of the concept at www.icoke.ca/extras/125th.

The concerts offered were clearly for a teen audience, with artists such as Duke Squad, Kardinal Offishall and These Kids Wear Crowns. At its celebrations in Montreal, many families with children attended. Brand exposure was impressive (red truck, banner, display stands, concert stage, umbrellas, refrigerators, etc.) and a generous distribution of bottles of Coca-Cola Classic®.
Coca-Cola Fun Day at Toronto Zoo

It is generally children who most enjoy going to the zoo. And it is precisely this population that was targeted by the promotion offering free admission to everyone who showed up with a label from any Coca-Cola® product. The offer also stated that prizes and samples would be distributed.

Energy Drinks and Culture

Although sports dominate the sponsorship strategies of most SSB companies, they also invest in music, art and culture.
Association with Celebrities

Association with celebrities is a technique used by many companies to create a connection between the brand and the values and attitudes represented by those individuals.\textsuperscript{273} Associating itself with celebrities who are popular with young people ensures a brand a place of choice among its target population and allows it to reach them through their particular interests. Whether they come from the music, film or TV world, celebrities have a significant impact on the consumers’ perception of a brand and their attitude toward it. Young people, engrossed in building their personal identity, are particularly prone to be influenced by this strategy.

This association can be in various forms:
- TV advertising
- Promoting the brand’s activities
- Showing the celebrity eating/drinking

To highlight the impact that such associations can have, Bernard Dagenais points out that in Quebec, the comedian Claude Meunier’s campaigns for Pepsi over the years have enabled it to surpass Coca-Cola’s sales in the province.\textsuperscript{274}

Here are some other Canadian and international celebrities who have endorsed SSB brands:

**Coca-Cola**
- Cœur de pirate (Canada)
- Kardinal Offishall (Canada)
Pepsi
- Britney Spears
- Nicki Minaj
- Joannie Rochette (Canada)

More than 20 years after Pepsi’s partnership with Michael Jackson, the company recently announced a global partnership with Michael Jackson’s estate as part of the 25th anniversary of *Bad*. The operation consists mainly of launching cans bearing images of the pop icon in 20 different countries.

Red Bull
- Tom Cruise
- David Coulthard

Vitaminwater
- Mary Hell, DJ and event organizer (Canada)
- Waahli Yussef and Nantali Indongo, reggae/hip-hop duo (Canada)
- Blake Lively and Leighton Meester from the TV series *Gossip Girl*
Philanthropic Activities

Philanthropy is probably the most indirect marketing strategy that SSB companies use. Although the consumption of sugar-sweetened beverages is associated with obesity and many other health problems, it is not unusual to see major brands partnering with noble causes. Why?

- To appear to be socially responsible businesses;
- To highlight their investment in sports, the environment or communities and make people “forget” the health impact of their products;
- To buy a “positive” image in the minds of consumers.

All companies have social responsibilities. They need to adopt responsible practices in terms of the environment and the community. But when this responsibility becomes a pretext to promote the brand to boost profits and when the supported cause becomes an engine for sales, it is legitimate to question the company’s laudable and “selfless” intentions.

Coca-Cola’s “live positively” campaign

If you look at Coca-Cola’s site dedicated to its philanthropic activities, you can see its wide range of efforts to present the brand as a socially responsible business ranging from saving polar bears to improving school meals and teens’ access to sports.

Three videos have been produced to highlight the partnership between Coca-Cola and the WWF on polar bear habitats (funding the research), the ParticipACTION campaign (physical activity), and the Club des petits déjeuners du Canada kids breakfast club (distributing fruit juice), with the slogan “Who cares?” as a backdrop. Far from being a selfless activity, we should remember that this website focuses mainly on these donations and that the donations are in turn a marketing strategy to boost the brand’s image and reinforce the emotional link with the consumer. But “who cares” what impact this promotion could have on the consumption of products potentially harmful to health?

During the 2010 holiday season, young people were invited on www.icoke.ca to enter codes that could be found on the underside of bottle caps or in the packaging of Coca-Cola products to contribute to the protection of polar bear habitats. At the end of this plea, the brand congratulated the young consumers for their efforts, which permitted it to donate $100,000 to WWF-Canada in support of this cause. Is it not paradoxical to encourage young people to consume SSBs in plastic or aluminum containers to promote the reduction of ecological footprint? And in what way did entering PINs “permitted”
Coca-Cola to make a donation? Perhaps by increasing beverage consumption or the traffic on its website. But with sales of over $30 billion a year, does Coca-Cola really need consumers’ help to make this donation?

In 2009, the Coca-Cola company's total contributions amounted to $88 million, covering two major areas:
- Local community projects
- Education

[Image: Pie chart showing distribution of contributions]
Pepsi’s “It’s better here” project

Pepsi’s “It’s better here” project has multiplied visits to its website and has allowed it to fund “good ideas” to the tune of one million dollars. As part of awarding grants of between $5,000 and $100,000 to projects connected with healthcare, arts, culture, nutrition, housing, the environment, community life or education, the company invites people to vote regularly for the best ideas on its website. Thus, the brand’s visibility continuously increases through the initiative. Since its Canadian launch, Pepsi’s “It’s better here” project has distributed more than $1 million in grants.279

It is Canadians themselves who suggest the projects (viral marketing) and invite their friends and family to vote for their initiative, which will be funded by Pepsi (or not) depending on their popularity. Not only does this initiative allow Pepsi to position itself in a range of different areas (environment, community, animal welfare, etc.) by funding the projects, but it also allows the brand to be discussed by people. The initiative is posted on social media where, once again, it is the participants who become the communicators. By emphasizing that these products can form part of a healthy active life as well as highlighting its investment in nutrition and sports, the brand in a way absolves itself of its commercial activities. In another marketing move in 2010, PepsiCo withdrew its Super Bowl advertising budget (US$20 million) redirecting it to its “Pepsi Refresh Project” in the United States.280 This move implies that local community initiatives are highly profitable for these companies. Indeed, consumers vote Pepsi top in rankings of brands that “do good” in their community.281
Multiplatform Communication to Win Young People’s Hearts

In this 4th and last volume, we have seen the extent of the communication strategies implemented by SSB manufacturers to reach young people. Although we have marked out these strategies, we have only shown the tip of the iceberg. The amount of money committed to entice and secure the loyalty of children and teens is colossal and involves an enormous number of people, including very creative marketeers.

The Happiness Team

This Coca-Cola initiative developed in Quebec in 2011 is a particularly interesting example to help understand the harmonious use of all available communication platforms.

Riding the niche “happiness” wave, the brand put together a “team” made up of four young people with just one mission: to “spread happiness” to Quebeckers. But what does that mean in concrete terms?

Teens are the main target of this marketing initiative, as is evident from these comments lifted from Facebook and the Happiness Team website:
The media campaign surrounding the Happiness Team in summer 2011 included TV advertising, a dedicated website, plus a strong presence on social media (Facebook and Twitter), a blog, events throughout Quebec, as well as billboards and posters. TV and print ads were used to boost the visibility of the initiative and direct young people to the website and social media, the main tools of the campaign.

In fact, throughout the summer, young Quebeckers were invited to regularly go to social media to stay informed about what was happening. This was generally a way of creating an assembly point to distribute gifts (such as tickets to concerts or sports events), all of it heavily Coca-Cola® branded.

The first Happiness Team was so successful (with 74,000 fans on Facebook at time of writing) that Coca-Cola decided to extend the initiative by creating a second team to work throughout 2012. This time based on the theme of “music”, the team is now recruiting its fourth member.
Although teens are the main targets, this event-based strategy is likely to reach a much wider audience. It gives the brand high visibility (buses decked out in team colours) and allows massive amounts of Coca-Cola to be distributed. For example, at its auditions in Montreal, Coca-Cola gave drinks away to every passer-by, including children. These tactics hit target clients when they don’t expect it. They are assumed to be more receptive to persuasive arguments in the form of “surprise gifts” (free drinks, for example).

Large SSB companies rely heavily on multiplatform communication, using “traditional” advertising as well as new media. But in addition to direct product promotion, these companies want more than anything to create a link with consumers by infiltrating their hobbies, passions and interests to entice them and build their loyalty. This is how the most insidious marketing strategies come about, including product placement, sponsorships, philanthropy, etc. While it is accepted that adults will remain sceptical of such “false good deeds”, which boil down to marketing after all, children and youth with less developed critical sensibilities are an ideal target for the industry. These practices should therefore be regulated.
Recommendations for the Promotion of Sugar-Sweetened Beverages

According to many healthcare experts and professionals, industry self-regulation and voluntary approaches to children’s advertising have failed to yield the desired results.284,285,286,287,288,289,290,291,292 Effective regulations are therefore required to actually protect young Canadians from aggressive marketing aimed at them.

Calls for Regulations on Marketing to Children

In September 2010, Federal, Provincial and Territorial Ministers of Health agreed to focus efforts on curbing childhood obesity and promote healthy weights as a first essential step to help Canadians live longer and in better health.293 To do so, in 2011 they adopted a framework for action—Curbing Childhood Obesity: A Federal, Provincial and Territorial Framework for Action to Promote Health Weights.294 In this regard, decreasing the marketing of foods and beverages high in fat, sugar and/or sodium to children is part of three strategic priorities outlined in the document to curb obesity among young Canadians.

The United Nations, along with many other recognized agencies, has called for regulations to govern the marketing of food and drink to children.295 Advertising aimed at children was also a priority for the World Health Organization (WHO) in 2008-2009. In its Global Strategy against chronic disease, it called on member states to pass laws to regulate the marketing of food and beverages to children.296

Restrictions on Children’s Advertising Elsewhere in the World297

Advertising to children is controlled in various ways around the world, from binding legislation to standards, government guidelines and self-regulation applicable to:
- all age groups and all products
- children in particular
- food advertising in particular

To date, three governments have totally prohibited advertising aimed at children:
- Quebec (for children under the age of 13 since 1980)
- Sweden (for children under the age of 12 since 1991)
- Norway (for children under the age of 12 since 1992)

Although in 2004 64 countries restricted televised children’s advertising, other marketing strategies such as sponsorship, product placement and Web marketing are regulated less effectively around the world due to the lack of literature on their impact on children.
Provincial

Canada’s provinces and territories could act, as Quebec has already done, to protect children from marketing.

Quebec

Sections 248 and 249 of the province’s 1978 Consumer Protection Act prohibit commercial advertising from targeting children under the age of 13 (see Appendix 4). Although Quebec’s legislation has its limitations, commentators have shown it is more effective and is having a more positive impact on children than measures passed in other Canadian provinces. Interestingly, it has also been shown that English-speaking children in Quebec are not as well protected from the impact of children’s advertising as their French-speaking counterparts.

Otherwise, the weaknesses of the Quebec model do not lie so much in its legal basis as its legal enforcement—or lack thereof. In Quebec, the Consumer Protection Bureau (OPC), which reports to the province’s Justice Ministry, is the government agency that oversees the implementation of this law. Given the problems over the interpretation of that law and the importance of oversight, the Bureau’s lack of resources to enforce compliance is a real obstacle.

Furthermore, exemptions provided for in the regulations can be used to circumvent the spirit of the Act to the detriment of the young people it was intended to protect. This is especially true of product stands, merchandisers, packaging and point-of-sale advertising.

Lastly, the development of new advertising techniques by the marketers in the industry, as well as changes in young people’s lifestyles and TV viewing habits, require enforcement rules to be modernized.

Other Provinces

Just like Quebec, other provinces have the power to regulate children’s advertising on their territory. To do so, some modifications need to be made to the various consumer protection laws in those jurisdictions. Marc-André LeChasseur has provided a legal opinion on the changes that would be required to the various consumer protection laws in Canada’s provinces and territories to prohibit advertising aimed at children (see Appendix 5).

- In Quebec, modernize the enforcement rules of the Consumer Protection Act prohibiting advertising to children so that to take into account young people’s new media consumption habits and the development of new advertising techniques.
- In the absence of federal regulations prohibiting advertising aimed at children, Canada’s provinces and territories should explore the possibility of introducing a law similar to Quebec’s and engage in discussions with parents and relevant organizations on this subject.
Federal

Of course, the provinces can each adopt regulations similar to Quebec’s. However, federal regulations would help to establish the necessity of protecting children from advertising and would apply to all provinces and territories of Canada.

To date, despite its many demonstrated limitations, self-regulation remains the preferred method for controlling children’s advertising. Some tentative approaches have been taken in recent years, but none so far has been adopted.

The Canadian Code of Advertising Standards

Advertising in Canada (excluding Quebec) is governed by a voluntary industry-led standard, the Canadian Code of Advertising Standards (CCAS). This has been the main self-regulation mechanism since 1963 for all forms of advertising in Canada. It is administered by Advertising Standards Canada (ASC), an independent agency responsible for assessing and pre-authorizing advertising before it is broadcast and for handling complaints from the public. It is financially supported by advertisers, the media, industry and the Canadian government, among others. Complaints are assessed by independent volunteers from the industry and general public.

The ASC’s website states that by being a member, an entity:

- demonstrates its commitment to responsible self-regulation of advertising
- shows itself to be a responsible corporate citizen by applying the Canadian Code of Advertising Standards
- plays a positive influencing role in boosting public trust in advertising
- participates in setting up and maintaining relevant and contemporary advertising standards.

Just as philanthropy can enhance a brand’s image, ASC membership constitutes a form of marketing as it allows the business to present itself to the public as a “responsible corporate citizen”. A public relations exercise or a real desire to protect children?

Clause 12 of the CCAS states: “Advertising that is directed to children must not exploit their credulity, lack of experience or their sense of loyalty, and must not present information or illustrations that might result in their physical, emotional or moral harm.” However, it is interesting to note that Red Bull Canada is a member of the ASC and that a complaint has been filed against it by the Weight Coalition for its Web advertising “Flying Pigs”.

Moreover, in April 2007 the ASC also launched the Canadian Children’s Food and Beverage Advertising Initiative in which “19 leading Canadian food and beverage companies will devote at least 50 percent of their ads directed to children under 12 toward the promotion of healthy dietary choices and/or healthy active living messages”. Coca-Cola Ltd. and Pepsi-Cola Canada are part of this initiative and self-regulate their practices to criteria that they themselves have set (see Appendices 6 and 7). This, however, does not mean that these companies do not target young people in their advertising. Indeed, under this initiative, child-focused advertising is still permitted, in breach of the Quebec Consumer Protection Act, which prohibits it.

Moreover, according to a recent study, businesses that have signed up to the Canadian Children’s Food and Beverage Advertising Initiative have been responsible for more advertising of food and drink high in sugar, salt and fat than companies who are not members of the Initiative.
Social Consensus

Sondage Omnibus Web 2010\(^x\):
- 79.5% of Canadians surveyed believe there is a link between food marketing to children and excess weight and obesity.
- 82.1% of respondents want to see a restriction on the marketing of low-nutrition food to children.
- 64% of Canadians would like to see a ban on all child-targeted advertising.

Legislative Changes at Federal Level

In its report “Children’s advertising: identifying the best possible protection”, Consumer Choice recommended that Canada adopt legislation prohibiting advertising aimed at children and protecting them as much as possible.

There are two possible scenarios for a federal ban on children’s advertising: a total ban or a partial ban restricting the advertising of “unwholesome food and drink” to children. The second scenario would require a laborious process of defining “unwholesome food and drink”. A total ban on children’s advertising is therefore preferable, especially as a benefit could be gained from Quebec’s experience. To do so, the Food and Drugs Act would need to be amended as well as the Competition Act. These are detailed in Appendix 8.

Definition of a Child

The legal definition of a child varies from country to country, and no definition includes an age criterion. When “child” is specified in legislation, it is usually understood to mean a person between the ages of 0 and 12, 13, 14, 15 or 16, depending on the country. In the case of sugar-sweetened beverages, we have seen that teens are a target of choice in the industry and, despite their slightly older years, are not always able to perceive the commercial nature of some marketing strategies used to attract them.

Currently in Canada, anyone under the age of 12 is considered to be a “child”. However, according to a group of experts meeting for the Canadian Obesity Network’s 2\(^{nd}\) Canadian National Obesity Summit held in April 2011, as well as the Pan American section of the WHO, children and teens under 16 years of age need to be protected from marketing.\(^{312,313}\)

- Consider introducing federal regulations similar to Quebec’s in order to prohibit advertising aimed at children by amending the Food and Drug Act as well as the Competition Act.
- Create a committee to analyze ways of reducing the impact of sugar-sweetened beverage promotion.

\(^x\) Omnibus Web Survey conducted by on behalf of the Collaborative Action for Childhood Obesity on April 22-30, 2010, with 2,066 Canadian respondents. Margin of error of +/- 2.2%.
Oversight

Although a highly interesting and relevant regulation has been in force for over 30 years in Quebec, the first prosecutions conducted by the province’s Consumer Protection Bureau have been a response to complaints filed by the Weight Coalition in 2007. This highlights a major lack of resources that made it impossible to oversee the industry’s advertising practices effectively.

However, supervision is at the heart of WHO recommendations concerning regulations on advertising to children.\textsuperscript{314} We must learn from Quebec’s experience in establishing and modernizing regulations on advertising that targets children.

- Ensure that provincial and federal regulations are backed by sufficient financial resources and an adequate structure to oversee advertising practices effectively.
Appendix 1: About the Weight Coalition

The Quebec Coalition on Weight-Related Problems (Weight Coalition), an initiative sponsored by the Association pour la santé publique du Québec, seeks the required support to demand legislative and regulatory changes, as well as public policies within three strategic areas (agri-food industry, sociocultural and built environment) in order to encourage the development of environments that facilitate the access to healthy choices which will help prevent weight-related problems.

Since its creation in 2006, the Weight Coalition has become a well established advocate supported by nearly 200 partners from various spheres, such as the municipal, school, health, research, education, environment, nutrition, and physical activity arenas.

The Weight Coalition’s partners recognize the importance of taking action and support the following environmental measures:

**Agri-Food Industry:**
- The elimination of junk food and soft drinks in schools and hospitals
- A strict adherence to the food policy in elementary and high schools
- A responsible policy for food display in supermarkets
- Cooking classes in schools to promote the development of culinary skills and the pleasure of eating well
- Moderate-size servings in restaurants
- A special tax dedicated to supporting preventative measures for weight-related issues

**Built Environment:**
- A safe environment surrounding every school to allow children to walk or cycle to school
- A policy for active schools
- Agreements between municipalities and schools in order to increase the use of sports facilities after school hours
- An increase in the number of parks, green spaces, bicycle paths, and walkway systems
- Restricting the use of vehicles in certain zones
- Improving the quality and accessibility of public transportation services

**Sociocultural Environment:**
- Regulations on weight loss products, services, and methods
- Strict application of the regulations governing advertising directed at children
- Legislative measures and regulations to restrict the encroachment of advertising within public spaces
- The creation of an independent body to govern the advertising industry
- The implementation of a policy for work-family life balance to enable families to prioritize their health and well-being

4126, St-Denis Street, Suite 200
Montreal (Quebec) H2W 2M5
Tel: 514 598-8058 | Fax: 514 528-5590
info@cqpp.qc.ca | cqpp.qc.ca
twitter.com/CoalitionPoids | facebook.com/CoalitionPoids
Partners of the Weight Coalition

As of April 19, 2012

Corporate partners:

- Accès transports viables
- Agence de la santé et des services sociaux de Chaudières-Appalaches
- Agence de la santé et des services sociaux de l’Estrie
- Agence de la santé et des services sociaux du Bas-St-Laurent
- Alberta Policy Coalition for Chronic Disease Prevention (APCCP)
- Anorexie et boulimie Québec (ANEB)
- Apothicaire-Consultant
- Archevêché de Sherbrooke
- Association des dentistes de santé publique du Québec
- Association des jardiniers maraîchers du Québec
- Association des urbanistes et des aménagistes municipaux du Québec
- Association pour la santé publique du Québec
- Association québécoise d’établissements de santé et de services sociaux
- Ateliers Cinq Épices
- Azimut Santé
- Carrefour action municipale et famille
- Cégep de Sherbrooke
- Centre d’écologie urbaine de Montréal
- Centre de santé et de services sociaux – Institut universitaire de gériatrie de Sherbrooke
- Centre de santé et de services sociaux de Gatineau
- Centre de santé et de services sociaux de Jonquière
- Centre de santé et de services sociaux de Matane
- Centre de santé et de services sociaux de Papineau
- Centre de santé et de services sociaux de Rimouski-Neigette
- Centre de santé et de services sociaux de Rouyn-Noranda
- Centre de santé et de services sociaux de Témiscaming-et-de-Kipawa
- Centre de santé et de services sociaux des Aurores-Boréales
- Centre de santé et de services sociaux du nord de Lanaudière
- Centre de santé et de services sociaux Drummond
- Centre de santé et de services sociaux Jardins-Roussillon
- Centre d’écologie urbaine de Montréal
- Centre hospitalier de l’Université de Montréal
- Centre hospitalier universitaire de Sherbrooke
- Centre hospitalier universitaire Sainte-Justine
- Centre Normand
- Centre sportif Alphonse-Desjardins
- Chambre de commerce de Fleurimont
- Chambre de commerce de Sherbrooke
- Collège régional Champlain
- Comité Action Matapédia en Forme (CAMEF)
- Commission scolaire de la Région-de-Sherbrooke
- Commission scolaire des Phares
• Conseil québécois du loisir
• Contrast
• CytoKIN
• Direction de santé publique et d’évaluation de Chaudière-Appalaches
• Éclipse, Entreprise d’insertion
• Edupax
• Équiterre
• Fédération des éducateurs et éducatrices physiques enseignants du Québec
• Fédération des kinésiologues du Québec
• Fondation des maladies du cœur du Québec
• Fondation Lucie & André Chagnon
• Institut de Cardiologie de Montréal
• Jeunes pousses
• KinergeX inc
• La Tablée des chefs
• Le Collectif de la table des écoliers
• Municipalité de Lac-Etchemin
• Nomade entraînement
• Québec en forme
• Québec en santé – Groupe d’action pour une saine alimentation
• Regroupement des cuisines collectives du Québec
• Réseau du sport étudiant du Québec (RSEQ)
• RSEQ Cantons-de-l’Est
• RSEQ Est-du-Québec
• RSEQ Laurentides-Lanaudière
• RSEQ Mauricie
• RSEQ Montérégie
• RSEQ Québec – Chaudière-Appalaches
• RSEQ Saguenay – Lac St-Jean
• Réseau québécois de Villes et Villages en santé
• Sherbrooke Ville en santé
• Société de recherche sociale appliquée
• Société de transport de Sherbrooke
• Société de transport du Saguenay
• Sports-Québec
• Tennis Québec
• Union des municipalités du Québec
• Université de Sherbrooke
• Vélo Québec
• Ville de Baie-Saint-Paul
• Ville de Boisbriand
• Ville de Chambly
• Ville de Granby
• Ville de Joliette
• Ville de Laval
• Ville de Lévis
• Ville de Matane
• Ville de Montréal
• Ville de Rimouski
• Ville de Roberval
• Ville de Rouyn-Noranda
• Ville de Saguenay
• Ville de Saint-Georges
• Ville de Saint-Hyacinth
• Ville de Shawinigan
• Ville de Sherbrooke
• Ville de Sorel-Tracy
• Viomax

Individual partners:
• Marc Antoine, dietician-nutritionist
• Hedwige Auguste, community health student, Université de Montréal
• Simon Bacon, Associate Professor, Concordia University
• Micheline Beaudry, retired public nutrition professor
• Annie Beaulé Destroismaisons, master’s student in nutrition, Université de Montréal
• Maryse Bédard-Allaire, special appointee for promoting healthy lifestyle, Carrefour action municipale et famille
• Murielle Béland, dental hygienist, CSSS du Grand Littoral
• Roch Bernier, MD, doctor
• Julie Bernier-Bachand, dietetic technician
• Patricia Blackburn, professor at the Department of Health Sciences, Université du Québec à Chicoutimi
• Karine Blais, nutritionist, CSSS du sud de Lanaudière
• Paul Boisvert, coordinator, Chaire de recherche sur l’obésité de l’Université Laval
• Alysson Bourgault, development agent, Québec en Forme
• Thierry Bourgoignie, full professor, director of the Groupe de recherche en droit international et comparé de la consommation (GREDICC), Department of Law, Université du Québec à Montréal
• Jean-Guy Breton, consultant and former Mayor of Lac-Etchemin
• Annie Brouard, project manager, Egzakt
• Martin Brunet, physical and health educator, Commission scolaire des Patriotes
• Caroline Brutsch, nutritionist, CSSS d’Argenteuil
• Sarah Burke, public health student, Johns Hopkins University
• Ariane Cantin, student, Hôpital de la Cité de la Santé de Laval
• André Carpentier, assistant director of research – associate professor, Centre hospitalier universitaire de Sherbrooke
• John Carsley, public health physician
• Diane Chagnon, dietician-nutritionist, Université de Sherbrooke
• Jean-Philippe Chaput, junior research chair, Children’s Hospital of Eastern Ontario Research Institute
• Marie-Soleil Cloutier, teacher, Université de Montréal
• Mario Couture, educator
• Marie-Ève Couture-Ménard, Doctor of Law candidate, McGill University
• Cécile D’Amour, retired teacher
• Émilie Dansereau-Trahan, special appointee for weight-loss products, services, and methods, Association pour la santé publique du Québec
• Jean-Marie De Koninck, professor of Mathematics, Université Laval
• Louis Delisle, directeur – fondateur, Compassion poids santé
• Marie-Christine Déry, copartner, CytoKIN
• Romain Dhouailly, educator sports medicine and health coach
• Jean-Yves Dionne, consultant educator, pharmacist, Apothicaire-Consultant
• Jacinthe Dumont, officer of planning, programming, and research, Agence de la santé et des services sociaux du Saguenay – Lac St-Jean
• Louali Fatna, community health resident
• Martine Fortier, consultant health promotion, Direction de santé publique de Montréal
• Michel Fortin, teacher, Collège Durocher Saint-Lambert
• Karine Fournier, physical education teacher, Cégep de l’Outaouais
• Evelyne Gagné, student, Université Laval
• Thierry Gagnon, kinesiologist, president, Nomade entraînement
• Vincent Gagnon, teacher, École secondaire Jacques-Rousseau
• Jasmine Ghoddoussi, dietitian
• Valéry Gratton, assistant, infrastructure support and server management, Loto-Québec
• Karine Gravel, nutritionist, doctoral candidate in nutrition, Université Laval
• Assomption Hounsa, ministère de la santé du Bénin
• Louis W. Jankowski, retired, teacher of physical activity
• Marie-Claude Jean, nurse, CLSC des Patriotes
• Florence Junca-Adenot, professor of Urban and Tourism Studies, Université du Québec à Montréal
• Carl-Étienne Juneau, doctoral candidate, Université de Montréal
• Michel Lachapelle, advisor for Kino-Québec
• Véronik Lacombe, performers agent and show producer
• Joseph Laevens, graduate student, master in architecture, University of Toronto
• Marie-Anne Lafontaine, nutritionist, St-Mary’s Hospital
• Marie-France Langlois, full professor, Centre hospitalier universitaire de Sherbrooke
• Catherine Larouche, director of projects and development, PremièreAction Restauration
• Richard Larouche, doctorate student in Human Kinetics, University of Ottawa
• Sylvie Larouche, clinical dietician
• Geneviève Lasnier, elementary teacher
• Hélène Laurendeau, nutritionist and moderator
• Camille Leduc, retired and board of directors of CSSS de la Baie-des-Chaleurs
• Bonnie Leung, nutritionist, Cree Board of Health and Social Services of James Bay
• Danielle Léveillé, teacher, Commission scolaire de Montréal – Centre Gabrielle-Roy
• Paul Lewis, professor, Université de Montréal
• Danielle Lizotte-Voyer, professor, Cégep de l’Outaouais
• André Marchand, officer of planning, programming, and research, Agence de la santé et des services sociaux du Saguenay – Lac St-Jean
• Richard Massé, director, École de santé publique de l’Université de Montréal
• Marie-France Meloche, nutritionist
• Stéphanie Mercier, Web project manager, Egzakt
• Caroline Michaud, nutritionist
• Johane Michaud, clinical nurse in prevention, Centre de santé et de services sociaux de Thérèse-de-Blainville
• Marjolaine Mineau, coordinator, Aquisitions and Dubbing, Canal Vie, Astral
• Marilou Morin, dietitian-nutritionist, CSSS de Vaudreuil-Soulanges
• Jean-Claude Moubarac, doctoral candidate in public health
• Rafael Murillo Sterling, president, Gym Social Inc.
• Apraham Niziblian, student, Faculty of Law – McGill University
• Eric Notebaert, MD, emergency physician, Université de Montréal
• Gilles Paradis, MD, professor, Department of Epidemiology, Biostatistics and Occupational Health, McGill University
• Kathleen Pelletier, MD, doctor, Agence de la santé et des services sociaux du Saguenay – Lac St-Jean
• Jean Perrault, former Mayor of the city of Sherbrooke and former President of the Union des municipalités du Québec
• Vanessa Perrone, nutritionist
• Andréane Poliquin, communications advisor, Québec en Forme
• Samuel Pothier, political science and communication student
• Marie-Ève Pronovost, nurse, health service, Cégep de Saint-Félicien
• Lise Roche, advisor
• Alain Rochefort, webmaster
• Claudia Rousseau, serveuse, restaurant Chez oeufs
• Mathieu Roy, doctoral candidate in public health, Université de Montréal
• Manon Sabourin, dental hygienist, Conseil Cri de santé et des services sociaux de la Baie James
• Martin Sénéchal, doctorate student, Université de Sherbrooke
• Dominique Sorel, engineer
• Chantal St-Pierre, accompanying school health, CSSS de l’Énergie
• Laurent Teasdale, kinesiologist, Orange Santé
• Jacques Émile Tellier, consultant, Entreprises Multi-Services Inc.
• François Thibault, applications specialist, Kontron Canada
• Sabine Tilly, Founder, ZEN BALANCE « mon équilibre »
• Geneviève Tremblay; planning, programming and research officer, Agence de la santé et des services sociaux de l’Abitibi-Témiscamingue
• Sherry Trithart, research manager, University of Alberta
• Helena Urfur, communications manager, École de santé publique, Université de Montréal
• Guy Vézina, executive president, Vie Saine
• Gabrielle Voyer, criminology student
The Innovation Strategy of the Public Health Agency of Canada focuses on innovation and learning in population health interventions to reduce health inequalities in Canada and effectively address priority public health problems and their underlying factors.

The Innovation Strategy puts a strong focus on the exchange and use of practical knowledge — based on the results of these interventions — and sharing of best or promising practices across the country.

The Innovation Strategy supports:
- The development, adaptation, implementation, and evaluation of promising, innovative population health interventions and initiatives in various settings and populations in Canada;
- Knowledge translation and dissemination based on the systematic collection of results and outcomes of these interventions and promotion of their use across Canada.

Each Innovation Strategy solicitation addresses a specific priority public health issue. A first cycle launched in June 2009 focused on mental health promotion called, “Equipping Canadians – Mental Health throughout Life”. In May 2010, a second cycle was launched focused on a new theme: “Achieving Healthier Weights in Canada’s Communities”; and, “Managing Obesity across the Life-Cycle: An Interventions Approach” launched in August 2010. Each solicitation has two phases: a developmental phase and a full implementation phase.

The main objective of the first cycle, “Equipping Canadians – Mental Health throughout Life” is to support more effective action on the underlying protective factors, conditions and skills that enhance long term mental health. The Strategy funds interventions targeting underlying determinants and protective factors among populations at higher risk due to environmental, social, demographic and / or economic factors with a focus on children, youth and families.

The main objective of the second cycle is to develop and implement more effective action on the underlying factors, conditions and skills that enable individuals and create supportive environments.

“Achieving Healthier Weights in Canada’s Communities” focuses on the promotion of healthy weights, prevention of overweight and obesity, and attainment and maintenance of healthy weights, using a population health approach with an emphasis on actions that will contribute to the reduction of health inequalities. “Managing Obesity across the Life-Cycle: An Interventions Approach” focuses on improving outcomes and reducing complications among Canadians who have been identified as obese and providing supports to Canadians who are overweight to prevent obesity.

For more information, please visit the following website:
Appendix 3: About the Project Partners

The project entitled “A Multidimensional Approach to Reducing the Appeal of Sugar-Sweetened Beverages (SSBs)” was launched by the Association pour la santé publique du Québec (ASPQ) and the Quebec Coalition on Weight-Related Problems (Weight Coalition) as part of the 2010 Innovation Strategy of the Public Health Agency of Canada on the theme of “Achieving Healthier Weights in Canada’s Communities”. This project is based on a major pan-Canadian partnership involving the following organizations.

Since 1988, the Réseau du sport étudiant du Québec (RSEQ) has been a leader in the development of sport and physical activity and is recognized as an innovator in the field in Quebec. The RSEQ is committed to the promotion and development of sport and physical activity in an educational setting from the grassroots level through to high performance sport. The RSEQ promotes the education and academic success as well as the health and well being of young people. Over the past decade, RSEQ has developed and implemented several programs promoting healthy lifestyles including the iGetit.ca program that was introduced to high schools across the province in January 2011 via the NewDrive contest (Moncarburant.ca).

Fédération du sport francophone de l’Alberta (FSFA) has the mission to promote and provide access to sports and wellness programs for French and French-speaking Albertans of all ages. By providing French-language access to programs and services in the fields of sports, physical activity and well-being, the FSFA aims at the development of an active lifestyle and healthy eating habits among young people and adults that are French speaking or of French expression in Alberta.

Université Laval, the first Francophone university in the Americas, offers a unique research environment. It is one of the top 10 research universities in Canada and has an overall annual budget of about $700 million. Université Laval has 17 faculties that cover every knowledge area, including the Faculty of Agriculture and Food Sciences. With its 20 chairs and research groups and its institute, this Faculty is at the forefront of its field. Through its research projects and activities, it affects all aspects of the bio-food chain. Moreover, its institute, the Institute of Nutraceuticals and Functional Foods (Institut des nutraceutiques et des aliments or INAF) is the largest group of researchers in Canada to dedicate its entire research program to the complex interactions between food, food components, nutrition and health. INAF’s research focuses on health targets that are major challenges for many developed countries that have a direct relationship with food. Accordingly, the Institute’s efforts aim to prevent, through nutrition, major chronic illnesses such as obesity, diabetes and cardiovascular disease. The research of many INAF researchers center on human nutrition and the development of new clinical practices and public health to promote healthy and sustainable eating habits.
The Social Research Demonstration Corporation (SRDC) is a non-profit social policy research organization and a leader in the field of social experimentation. SRDC’s mission is two-fold: 1) to help policymakers and practitioners identify social policies and programs that improve the well-being of all Canadians, with a special concern for the effects on the disadvantaged, and 2) to raise the standards of evidence used in assessing social policies and programs. Since 1991, SRDC has been building a base of knowledge and experience in social policy about what works and what does not work, determining the genuine effectiveness of new program interventions before their full-scale adoption, using the most rigorous evaluation approaches appropriate to any given research question. SRDC brings particular expertise in the evaluation of population health interventions. Among other work, SRDC completed the evaluation of the Sip Smart! program in British Columbia for the Michael Smith Foundation and the BC Healthy Living Alliance.

The Public Health Association of British Columbia (PHABC) is a voluntary, non-profit, non-government organization founded in 1953. PHABC was incorporated as a non-profit society in 1980 and operates under the Societies Act. The organization is a provincial affiliate of the Canadian Public Health Association (CPHA). PHABC maintains a membership of approximately 500 public health professionals and other stakeholders from both urban and rural areas across British Columbia. It promotes and protects the public’s health by actively working to advance the development and implementation of healthy public policy, encourage and facilitate research into the broad issues that affect the public’s health, and cooperates regionally, nationally and internationally with other organizations to promote health. It is joined in its mandate to the Canadian Public Health Association and other provincial and territorial branch organizations. This national linkage enables PHABC to participate in dialogue and act on matters of interest to provincial and national public health. The stability of the PHABC makes it a low risk for funding and granting agencies and demonstrates the viability of the Association to act for the common good over an extended period of time. The Association has considerable experience with coalition building, community development, health informatics, initiatives focused on addressing the determinants of health, strategic planning, policy development, research, survey design and evaluation and conducting studies to synthesize information for policy and action on public health issues.

The mission of the Ontario Public Health Association (OPHA) is to provide leadership on issues affecting the public’s health and to strengthen the impact of people who are active in public and community health throughout Ontario. OPHA achieves its mission by providing education opportunities and up-to-date information in community and public health, access to local, provincial and multi-disciplinary community health networks, mechanisms to seek and discuss issues and views of members, issue identification and advocacy with a province-wide perspective, and expertise and consultation in public and community health.
Appendix 4: Articles 248 and 249 of the Quebec Consumer Protection Act

Extract from the Quebec Consumer Protection Act

248. Subject to what is provided in the regulations, no person may make use of commercial advertising directed at persons under thirteen years of age

1978, c. 9, a. 248.

Facts considered.
249. To determine whether or not an advertisement is directed at persons under thirteen years of age, account must be taken of the context of its presentation, and in particular of

a) the nature and intended purpose of the goods advertised;
b) the manner of presenting such advertisement;
c) the time and place it is shown.

Presumption.
The fact that such advertisement may be contained in printed matter intended for persons thirteen years of age and over or intended both for persons under thirteen years of age and for persons thirteen years of age and over, or that it may be broadcast during air time intended for persons thirteen years of age and over or intended both for persons under thirteen years of age and for persons thirteen years of age and over does not create a presumption that it is not directed at persons under thirteen years of age.

1978, c. 9, a. 249.

The Consumer Protection Act also defines the action “to advertise” in section 252.

252. For the purposes of sections 231, 246, 247, 247.1, 248 and 250, “to advertise” or “to make use of advertising” means to prepare, utilize, distribute, publish or broadcast an advertisement, or to cause it to be distributed, published or broadcast.

1978, c. 9, a. 252; 1991, c. 24, a. 17.
Appendix 5: Legal Opinion – Provincial Regulations

Legal opinion on the changes required to the various consumer protection laws of Canada’s provinces and territories to ban advertising directed at children.

Re: Advertising directed at children—Regulation respecting the application of the Consumer Protection Act (R.S.Q., c. P-40.1)

As requested, please find herewith our recommendation regarding the above captioned matter. This letter deals with the additions to various provincial Canadian laws on consumer protection of sections dealing with advertising directed at children. This is based on the provisions presently in force in the Province of Québec and provided in the Consumer Protection Act.

1- For the province of Newfoundland, such an insertion is coherent with the spirit of the Consumer Protection and Business Practices Act, SNL, 2009, c. 31.1. This act provides for a section dealing with unfair practises of consumption. Indeed, in the part III of the act entitled unfair practises, specifically in section 7(1), we find bans on practises of business. The insertion should be situated in this particular frame.

2- For Nova Scotia, although the Consumer Protection Act, R.S., c. 92, s.1., contains in its section 20 requirements regarding advertising, these provisions deal essentially with credit. They do not deal with forbidden practises of business. Our recommendation is to insert a whole section regarding advertising directed at children subsequent to section 34 of the law, which deals with misleading or unfair practises of business.

3- For Prince Edward Island, the Consumer Protection Act, c. C-19 provides at its sections 14 to 20 requirements of advertising with regard to credit only. Our recommendation is to insert a whole section dealing with advertising directed at children following section 28 of the act.

4- In New Brunswick, The consumer product warranty liability act L.N-B. 1978, c.C-18.1 is silent regarding forbidden commercial practises. Our recommendation is to insert a whole section regarding advertising intended to children under section 28.1, which deals with measures regarding the bans on unfair or misleading commercial practises.

5- For Ontario, the current law entitled Consumer protection Act, (2002) L.O, c. 30, ann. A, prohibits under part III, at section 14 and following of the act, unfair practises. Specific measures similar to the ones enforced in the province of Quebec could be added in part III following section 17 entitled unfair practises and more precisely under (17.4) and following. Besides, it should be noted that this act provides at section 13.1, part II entitled consumers rights and warranties a provision prohibiting advertising of illegal sites. Thus, we could also envisage the option of inserting following section 13.1, under paragraph 6, measures forbidding any advertising directed at children.

6- In Manitoba, the Consumer protection act C.P.L.M. c. C 200 is silent as for the forbidden commercial practises. Our recommendation is to insert a section
dealing with advertising directed at children by adding section VII.1 following VII entitled direct sellers.

7- For Saskatchewan, it would appear adequate to integrate in the Consumer Protection Act, c. C-31, provisions similar to the ones presently enforced in the province of Quebec since the Saskatchewan act already deals with misleading or unfair practises at its sections 5, 6, 7 and 8. Thus, it would be in keeping with the act, in our opinion, to add the new provisions following section 5(d) of the act.

8- For Alberta, we recommend to add provisions similar to the ones applicable in Quebec since the Fair Trading Act, R.S.A. 200, c. F-2, already provides, under its part 2, Unfair and Negative Option Practises, Division 1, Unfair Practices, provisions dealing with unfair or misleading commercial practises. More specifically, it is under section 9 that we find a provision dealing with advertising. Thus, we could include further to this section, measures similar to those current in Quebec.

9- In British-Colombia, the current law, Business practices and Consumer Protection Act, SBC, Chapter 2, governs in an explicit fashion misleading or unfair commercial practises as well as advertising. Effectively, under part 2 of the act, entitled Unfair Practises, Division 1, Deceptives Acts or Practises, we find a section 6 that specifically deals with advertising. Therefore, measures forbidding or regulating advertising directed at children could be added in the section of the law.

10- In Yukon, the Consumer protection act (2002 Chap. 40) does not discuss either misleading or unfair commercial practices or advertising. This act deals essentially with instalment sales, loan, expenses, guaranties and retail selling, etc. Consequently, we believe that it will be preferable to add in another section to the law dealing with misleading or unfair commercial practices which would include measures forbidding or regulating advertising directed at children.

11- Finally, for the Northwest Territories as well as Nunavut, the Consumer protection act R.S.N.W.T., 1988, c. C-17 provides no measures dealing with misleading commercial practises or advertising directed at children. Indeed, this act mostly deal with instalments, sells, loan, and expenses, retail sells, etc. In that case, the appropriate solution is, in our opinion, to add in another section governing the misleading of unfair commercial practises. This new section could include measures dealing with advertising directed at children following part VII by adding subsection VII.1 entitled Deceptive practices.

Me Marc-André LeChasseur  Me Marie-Michèle McDuff

MMM & MAL/mmm
Appendix 6: Undertaking by Coca-Cola Ltd.

Canadian Children’s Food and Beverage Advertising Initiative: The Coca-Cola Company’s Commitment

Section A -- Identifying Information

A1: Corporate name and address
    Coca-Cola Ltd.
    42 Overlea Blvd.
    Toronto, Ontario

A2: Name of point of contact for implementation of Pledge
    David Moran
    Director, Public Affairs Communications
    416 753 8804
    damoran@na.ko.com

A3: Name of specific entity/entities covered by Pledge
    Coca-Cola Ltd.

A4: Name of each brand and/or product line covered by Pledge
    All brands of Coca-Cola Ltd.

Section B -- Core Principles

B1: Advertising Messaging Principles
    Coca-Cola Ltd. shares the concerns for the nutritional and dietary wellbeing of Canada’s children. These are important issues and the problems are complex. We recognize the need to work together to find the right solutions.

    The Coca-Cola system in Canada recognizes the positive role it can play in developing and promoting affordable, healthy and nutritious beverage choices and in promoting healthy lifestyles. To help us define and update this role over time, we listen to our customers and consumers and to parents, teachers, doctors and other community leaders. Accordingly, our current advertising policy reflects our commitment to support parents and other caregivers in their role as gatekeepers in all decisions affecting the lives of their children including beverage choices.
Under the Canadian Children’s Food and Beverage Advertising Initiative’s criteria for products that represent healthy dietary choices, a number of Coca-Cola Ltd. beverage brands qualify to be featured on television, radio, print and interactive media primarily aimed at children under 12. These categories include water, juice, dairy and beverages fortified to address children’s nutritional gaps.

All our products are wholesome and suitable for all consumers. At the same time, we understand that children are impressionable, and we respect the role of parents and caregivers in raising children. Therefore, we are committed not to directly market messages for any of our beverages to children under 12.

We have historically not placed – and continue the practice today of not placing – advertising for any of our beverages on any media that is primarily directed to, and has an audience of 50% or more, children under the age of 12.

B2: Compliance of advertising messaging principles
Coca-Cola Ltd. fully supports self-regulation. We will continue to adhere to all applicable laws and will be guided by our federal, provincial and local governments. We also will continue to abide by self-regulated industry standards such as Advertising Standards Canada’s Canadian Code of Advertising Standards, the Canadian Association of Broadcasters’ Broadcast Code for Advertising to Children and Refreshments Canada.

Coca-Cola Ltd. continues to expand our beverage portfolio through package and product innovations and acquisitions in order to offer the broadest range of beverages to meet changing consumer needs. As we develop brands, we may consider advertising those brands that meet the Initiative’s nutrition criteria on programming directed to children under 12. Should we choose at any point in the future to do so in Canada, it is our intent to ensure that formulations and messaging are consistent with the current Canadian Children’s Food and Beverage Advertising Initiative’s principles for promoting healthy and active lifestyles among children. In keeping with the requirements of the Initiative, we would submit a revised Commitment to ASC for review and approval that would adhere to the Initiative’s principles.

B3: Use of licensed characters
As we have in the past, Coca-Cola Ltd. will continue to be responsible when pairing our brands in licensing and promotional activities that include other food categories. We shall continue to avoid the use of third party licensed characters in any form of company advertising in any media that is primarily directed to children under 12.
B4: Product placement
Coca-Cola Ltd. will not feature our beverages within program/editorial content of any medium primarily directed to children under 12.

B5: Interactive games
Coca-Cola Ltd. does not conduct promotional efforts in interactive games that are directed primarily to children under 12. If we determine that marketing to children under the age of 12 will occur in interactive games, we will submit a revised Commitment for review and approval by Advertising Standards Canada.

B6: Advertising in schools
Coca-Cola Ltd. and its bottling system do not advertise in schools (elementary through high school). We use the Company’s Model School Guidelines for School Beverage Partnerships to guide all school agreements. Refreshments Canada School Beverage Guidelines, which were developed in 2006, build upon the Company’s Model School Guidelines. The revised guidelines limit beverages in schools to:
- Bottled water and up to 250ml of 100% juice or milk for elementary school students
- Bottled water and up to 300ml of 100% juice or milk for middle school students
- Bottled water and up to 355ml of 100% and light juices, teas, sports drinks and flavored water, as well as low- and no-calorie sparkling beverages

These new standards were developed in direct consultation with leaders from the education community. They are designed to support parents and educators in guiding young people to learn how to make responsible choices. They serve as the beverage criteria for the Healthy Schools Program. They accelerate the shift to lower-calorie and nutritious beverages that children consume during the regular and extended school day.

In accordance with the Company’s Model School Guidelines for School Beverage Partnerships, as well as local laws and regulations, Coca-Cola Ltd. and its bottling system partners have been actively converting the product offerings available in vending machines to comply with the guidelines. Vending machine fronts in schools at all levels are being updated to replace full calorie sparkling beverage brands, with brands consistent with the product guidelines above or non-commercial messaging. These guidelines do not prevent the company or its bottlers from offering appropriate programs to schools that encourage physical activity, academic achievement and positive youth development.
B7: Implementation schedule
Coca-Cola Ltd. has always taken seriously its responsibility to be a good
corporate citizen. We are committed to offering consumers a variety of
beverages to choose from in a broad mix of package sizes to suit all occasions
and lifestyles. Our commitment also encompasses adhering to the right policies
in schools and the marketplace; encouraging physical activity and promoting
nutrition education; and continuously meeting changing consumer needs through
innovation. We are dedicated to playing an appropriate role in cooperation with
governments, educators and consumers through science-based solutions and
programs.

Coca-Cola Ltd.’s marketing practices are already in place in Canada and are
being fully implemented. Some of them date back more than 50 years. We are
working aggressively with our foodservice and bottling partners to ensure we
continue to adhere to them.
Appendix 7: Undertaking by PepsiCo Canada

Canadian Children's Food and Beverage Advertising Initiative
Commitment of PepsiCo Canada ULC.

Contact Information
PepsiCo Beverages Canada and PepsiCo Foods Canada, business units of PepsiCo Canada ULC
c/o: Lori Kelly
PepsiCo Canada Nutrition Science and Regulatory Affairs Director
lori.kelly@pepsi.com

PEPSICO BEVERAGES CANADA BRANDS:
- Amp Energy™ Energy Drinks
- Aquafina® Bottled Water
- Aquafina® FlavourSplash® Water Beverage
- Aquafina Plus+ Vitamins™ and Aquafina Plus+ Vitamins 10 Cal.™ Enhanced Waters
- Brisk® Beverages
- Dole Sparklers® Real Fruit Beverages
- Dole® Fruit Juices, Drinks and Cocktails
- Gatorade® Thirst Quenchers and Crystals
- G2® Electrolyte Beverage
- Lipton® Iced Tea
- Mountain Dew® Soft Drink
- Mug® Root Beer
- Ocean Spray® Cocktails
- Pepsi® Soft Drinks
- Naked™ Fruit and Vegetable Smoothies
- 7UP® Soft Drink
- SoBe® Beverages and Enhanced Beverages
- Starbucks Frappuccino® Coffee Drink
- Starbucks Doubleshot® Energy + Coffee Drink
- Tropicana® 100% Juices, Juice Blends and Drinks
- Trop50® Enhanced Juice Beverage

PEPSICO FOODS CANADA BRANDS:
- Quaker® Granola Bars (including sub-brands Chewy® Dipps®, Fibre & Omega-3, Yogourt, Trail Mix,
  Oatmeal to Go®, Oatmeal Bars and Squares, 100 Calorie and Ancient Grains)
- Quaker® Oats and Instant Oatmeal, Oat Bran, Wheat Bran
- Quaker® Cereals (including sub-brands Harvest Crunch®, Life®, Muffets®, Squares™ and Light & Crisp®)
- Cap'n Crunch® Cereal
- Quaker® Snacks (including sub-brands Crispy Delights® Cookies, Crispy Mins® Rice Chips and Rice
  Cakes, Granola Crunch'ers® Bite-Size Granola Snacks)
- Quaker® Mixes – Brownie, Cookie & Muffin
- Quaker® Bakeries Cookies
- Aunt Jemima® Pancake Mixes and Syrups
- Cheetos® Cheese Flavoured Snacks
- Chester's® Popcorn and Corn Twists
- Cracker Jack® Caramel Coated Popcorn
- Doritos® Tortilla Chips
- Fritos® Corn Chips
- Hostess® Hickory Sticks® and Potato Chips
- Lay's® Stax® Potato Chips
- Lay's® Potato Chips
Miss Vickie's® Potato Chips
Munchies® Snack Mix, Nuts and Seeds
Munchos® Potato Crisps
Rice a Roni® Rice
Rold Gold® Pretzels
Ruffles® Potato Chips and dips
Rustlers® Meat Sticks
Smartfood® Popcorn
Stacy's® Pita Chips
SunChips® Multigrain chips
Tostitos® Tortilla chips, salsas and dips
Twistos® Baked Snack Bites
Spitz® Sunflower and Pumpkin Seeds

The PepsiCo Canada Introduction

PepsiCo Canada ULC is proud to be one of the founding participants in the Canadian Children's Food and Beverage Advertising Initiative (CCFBAI). As an industry leader in marketing and marketing practices, we are committed to the professional and responsible advertising of our products. We have and will continue to adhere to product development and marketing practices that allow us to take pride in products we make, market and sell.

At PepsiCo Canada we believe that children are a special audience. Our marketing practices and the CCFBAI Commitment below acknowledge this important fact.

PepsiCo Canada is proud to play an active and contributing role in the ongoing existence of Concerned Children's Advertisers (CCA). Established in 1990, CCA works to support and contribute to the establishment of the highest standards and codes of conduct for responsible advertising to children. PepsiCo is pleased to have been contributing to Concerned Children's Advertisers for the past 9 years. To learn more about CCA visit www.cca-kids.ca.

At PepsiCo Canada we are committed to achieving business and financial success while leaving a positive imprint on society - delivering what we call Performance with Purpose.

Performance with Purpose consists of three key pillars – human, environmental and talent sustainability. Under Human Sustainability it is our goal to nourish Canadian’s with a broad range of high quality food and beverage products from simple treats to healthful offerings. We are committed to playing a responsible and supportive role in the health and wellness of Canadians by encouraging people to adopt healthy, active lifestyles.

Throughout PepsiCo Canada, whether it be Pepsi-Cola or Aquafina beverages, Frito-Lay snack foods, Quaker food products, Tropicana juices or Gatorade sports beverages, we are continuously transforming and expanding our product portfolio to meet ever changing consumer needs, including those of children. As PepsiCo Canada looks for ways to inform consumers about our vast array of products, including an ever growing number of product choices that address heightened consumer interest in convenient, great tasting foods that are lower in sugar, fat and sodium, we are committed to thinking about our audience and our advertising commitment. For further information about PepsiCo Canada please visit www.pepsico.ca.
B. Core Principles — The PepsiCo Canada Commitment

PepsiCo Canada understands the importance of being a responsible marketer to children and we commit to standards that exceed the CCFBA.

At this time PepsiCo Canada has no plans to broadcast any advertising directed primarily to children under 12 years of age for the calendar year of 2012. More specifically:

TV
PepsiCo Canada will not advertise our products on TV programs with a target audience demographic under 12 years of age. All pre-buy programming purchases will have less than 35% audience viewership under 12.

Radio
PepsiCo Canada will not advertise our products on radio with a target audience demographic under 12 years of age.

Print Advertising
PepsiCo Canada will not advertise our products in any print with a target audience demographic under 12 years of age.

Internet Advertising Not On Company Owned Websites
PepsiCo Canada will not advertise our products on websites with a target audience demographic under 12 years of age.

Advertising on Company Owned Website
PepsiCo Canada does not have any company owned websites with content targeted to children under 12 years of age.

Third-Party Licensed Characters
PepsiCo Canada acknowledges that from time-to-time third-party characters may be used to promote our products. These third-party characters may be associated with television programs, movies, or the like. Third-party characters will be not be utilized if the rating is “G” or any like rating intended for children under 12 years of age.

Product Placement
PepsiCo Canada will not pay for or actively seek placement of our products in the program/editorial content of any medium directed primarily to children under 12 years of age.

Use of Products in Interactive Games
PepsiCo Canada will not allow its products to be incorporated into interactive games designed primarily for children under 12 years of age.
Cellphones and PDA's
PepsiCo Canada will not advertise our products in these media to a target audience demographic under 12 years of age.

DVD Advertising and Sponsorship
PepsiCo Canada will not advertise our products or sponsor DVD’s of “G” rated movies.

Advertising in Schools
PepsiCo Canada will not advertise our products to children in elementary and middle schools as these are the schools children under 12 attend. This includes book covers, book packs, pencils, posters and the like. This measure is in addition to voluntary agreement regarding the sale of beverages in schools through our membership in the Canadian Beverage Association.

Advertising Not Directed Primarily at Children
PepsiCo Canada has provided ASC with a list of all of our brands for assessment against our commitment.

Nutrition Standards
PepsiCo Canada will immediately notify ASC if at any time a future decision is made to advertise to children under 12 as well as providing the nutrition criteria standards so that ASC can effectively monitor PepsiCo Canada’s on-going compliance with any commitment.
Appendix 8: Legislative Changes at Federal Level

Here are some amendments that would need to be made to the Food and Drug Act and the Competition Act to totally ban advertising directed at children at Federal level:

**Food and Drug Act**

Add the following subsection to section 3 (1)

- Advertising and promotion for commercial purposes of food, drugs, cosmetics or devices, must not be directed to persons under thirteen years of age.
- To determine whether or not an advertisement is directed at persons under thirteen years of age, account must be taken of the context of its presentation, and in particular of
  - a) the nature of the food, the packaging and the brand;
  - b) the manner in which the advertising message is presented;
  - c) the moment or the place where it appears.
- It is not to be presumed from the fact that an advertising message that is found within a printed form intended for a public of 13 years of age and older or intended for both a public under the age of 13 and 13 years of age and older, or that it is diffused during a listening period intended for a public of 13 years of age and older or intended for both a public under the age of 13 and 13 years of age and older, that the advertising message is not intended for a public under the age of 13.

**Competition Act**

Add the following subsection to section 52 (1.2)

- For the application of subsection (1), an advertisement or promotion that is aimed for the purposes of subsections 74.011 (2) and (3) at persons under thirteen years of age, shall be deemed to be a recklessly false or misleading representation of a material point.

Add the following subsection to section 74.01

- (1) A person engages in reviewable conduct who, for the purpose of promoting, directly or indirectly, the supply or use of a product or for the purpose of promoting, directly or indirectly, any business interest, by any means whatever, directs any advertising or promotion, for commercial purposes, at persons under thirteen years of age.
- (2) Whether advertising or promotion is directed at persons under thirteen years of age shall be determined by taking into consideration its context, including:
  - a) the nature and intended purpose of the product or the business interest it promotes;
  - b) the manner in which the advertising or promotion is presented;
  - c) the time and place it is presented.
- (3) The fact that advertising or promotion is presented in the following manner does not by itself establish that it is not directed at persons under thirteen years of age:
  - a) in printed material intended for persons thirteen years of age or over;
  - b) in a broadcast during air time intended for persons thirteen years of age or over;
  - c) or (c) in any manner intended both for persons under thirteen years of age and for persons thirteen years of age or over.


3 NPLAN (National Policy & Legal Analysis Network to prevent childhood obesity): “‘Sugar-Sweetened Beverage” means any nonalcoholic beverage, carbonated or noncarbonated, which is intended for human consumption and contains any added Caloric Sweetener. As used in this definition, “nonalcoholic beverage” means any beverage that contains less than one-half of one percent alcohol per volume”. Consulted on September 16, 2011 at http://www.phlpnet.org/sites/phlpnet.org/files/SSB_Tax_Legislation_v2.0_FINAL_20110607..pdf

4 Bureau de soutien à la communication en santé publique: « On désigne par « boisson sucrée » toute boisson dans laquelle du sucre a été ajouté, principalement les boissons gazeuses ordinaires (non diètes), les boissons aux fruits (punchs, cocktails), les boissons énergétiques pour sportifs (Gatorade, Powerade, etc.) et les boissons énergisantes sucrées (Red Bull, Guru, etc.). Naturellement sucrés, les jus ne sont pas inclus dans cette catégorie ». Consulted on October 4, 2011 at http://www.espacecom.qc.ca/communiquer/fiches-thematiques/Les-jeunes-et-les-boissons-sucrees.aspx


6 The Canadian government gives this definition: “Sugar-sweetened beverages in this context are defined as liquids that are sweetened with various forms of sugars (monosaccharides and/or disaccharides) that add calories. These beverages include, but are not limited to fruit flavoured drinks, soft drinks, sports and energy drinks, and sweetened hot or cold drinks.” Consulted on September 16, 2011 at http://www.healthycanadians.gc.ca/init/kids-enfants/obesit/index-eng.php


117 Frederick J. Zimmerman, PhD and Janice F. Bell, PhD, MN, MPH (2010). Associations of Television Content Type and Obesity in Children. *American Journal of Public Health*.


125 JC Halford, J. Gillespie, V. Brown, E.E. Pontin et T.M. Dovey, « Effect of Television Advertisements for Foods on Food Consumption in Children » (2004) 42(2) Appetite 221. See also supra note 16


128 Linda S. Pagani et al. (2010). Prospective associations between early childhood television exposure and academic, psychosocial, and physical well-being by middle childhood, Archives of pediatrics & adolescent medicine; Vol. 164 No.5.


142 Gatorade Canada’s website. Consulted on May 7, 2012 at http://www.gatorade.ca/


Site Icoke.ca. Consulted on December 2011 at http://www.icoke.ca/


Pepsi Canada’s website. Consulted on September 7, 2011 at http://pepsico.ca/fr/Politique-de-protection-de-la-vie-privee.html


Coca-Cola advertising during the Olympic Games in Vancouver. Consulted on May 2, 2012 at http://www.youtube.com/watch?v=wlNMtgweJ0


279 Ici c'est mieux Pepsi’s project - website. Consulted on May 13, 2012 at http://www.refresheverything.ca/fr/


2009: BILL C-324 - An Act to amend the Competition Act and the Food and Drugs Act (child protection against advertising exploitation). Consulted on May 15, 2012 at [http://www.parl.gc.ca/content/hoc/Bills/402/Private/C-324/C-324_1/C-324_1.PDF](http://www.parl.gc.ca/content/hoc/Bills/402/Private/C-324/C-324_1/C-324_1.PDF)

2007: BILL C-414 - An Act to amend the Competition Act and the Food and Drugs Act (child protection against advertising exploitation). Consulted on May 15, 2012 at [http://www.parl.gc.ca/content/hoc/Bills/391/Private/C-414/C-414_1/C-414_1.PDF](http://www.parl.gc.ca/content/hoc/Bills/391/Private/C-414/C-414_1/C-414_1.PDF)


