September 22, 2009

Ms. Elaine Kolish
Children’s Food and Beverage Advertising Initiative
Council of Better Business Bureaus
4200 Wilson Blvd., Suite 800
Arlington, VA 22203-1838

Dear Ms. Kolish:

As you know, the Center for Science in the Public Interest has been a supporter of the Council of Better Business Bureau's Children’s Food and Beverage Advertising Initiative (CFBAI). We are pleased that the CFBAI and your member companies have taken a closer look at school-based food marketing. However, we are concerned about the adequacy of the CFBAI's Fact Sheet on the Elementary School Advertising Principles. The principles listed are insufficient to address the marketing of foods and beverages on school campuses for several important reasons.

The major problem with the school advertising program is that it covers too small a part of food marketing in schools – only direct advertising – which the CFBAI describes as “commercial sales messages,” such as those on posters, signs (when not part of a display), coupons, and cafeteria tray liners (when not related to a specific product being sold or offered). It seems that all other types of marketing for low-nutrition foods are allowed, including food sales, display devices (e.g., racks, coolers, and vending machines), branded fundraisers, public service announcements including brands (if not central in a PSA), and other approaches (see attached table).

The omission of product sales as a form of marketing in schools is of concern. Product sales in schools are a major form of marketing. Nine out of ten schools sell foods out of vending machines, a la carte, or school stores. Although healthy foods and beverages are becoming increasingly available, common items sold outside of school meals include candy, sugary drinks, chips, cookies, and snack cakes. The sale of low-nutrition foods outside of school meals is associated with increases in children’s body mass index (BMI).

Six CFBAI members—Campbell Soup Company, Coca-Cola Company, Dannon Company, Kraft Foods, Mars, and PepsiCo—have voluntarily agreed to apply the Alliance for a Healthier Generation nutrition standards to their food and beverage sales in elementary, middle and high schools. However, many other CFBAI members sell products in schools; they also should apply nutrition standards to the foods they sell to in schools.

Other school fundraising activities also are omitted from the CFBAI. Children are marketed to through a variety of fundraising programs and activities in schools, such as enlisting students to sell branded food products or coupon books, holding fundraising nights for families at restaurants, and participating in label-re redemption programs. The majority of foods sold through
school fundraisers are of poor nutritional value. For example, over three-quarters of schools nationwide engage students in selling chocolate candy through fundraisers. Given the high rates of childhood obesity and children’s poor diets, companies should not enlist students in selling low-nutrition foods to help schools raise money. CFBAI members should apply their companies’ nutrition standards to any foods or brands that are part of school fundraising activities.

The CFBAI also allows public service announcements that include products and brands (as long as they are not central in the PSA). Through school-based public service announcements, companies get their names in front of children in a captive environment, where parents are not present. In addition, companies may provide personal appearances of “spokes-characters or third-party celebrities, taped announcements featuring celebrities, posters or functional items such as book covers.” Whether a company actually shows a picture of a Happy Meal (which is not allowed) or has Ronald McDonald visit the classroom (which is allowed), both are marketing for McDonald’s (marketing all its meals, including those that do not meet its nutrition standards). Similarly, educational curricula and incentive programs often still contain marketing even if the brand logo is small compared with the other text on materials. We don’t see how Pizza Hut Book It! Program could work without kids knowing that they get pizza if they read books.

We are concerned about food marketing to children disguised as information for adults. The CFBAI ineffectively makes the case that some types of marketing do not target students and are simply a way to share information with school staff and parents. For example, according to the new fact sheet, a large Campbell’s soup-can-shaped collection bin (for the company’s label redemption program) placed in the front hallway of a school is not considered marketing to students. Also, students often are the ones to bring the labels/boxtops into school. In addition, branded mementos and promotional items may be given to adults who work in the school building. The CBBB does not consider the branded caps, aprons, cups, and calendars, which children would see cafeteria staff wear or have on display, to be marketing. We see no difference between such items and a poster, and disagree that such marketing is only incidentally viewed by children.

Another key concern is that the CFBAI covers only elementary schools. While we understand that the CFBAI is limited to children under 12 years of age, the program should, at the very least, cover any school in which there are children under 12 years attending. That means the CFBAI should include most middle schools (the average 6th grader is 11 years-old).

As many companies acknowledge in their pledges, schools are a unique environment. However, just as children under 12 years are vulnerable to the persuasive intent of television and other commercial media messages, older students have unique vulnerabilities. Older children have more money and opportunities to make food purchases without their parents’ guidance. Parents should be assured that all schools are healthy places that do not undermine efforts to feed their children (of all ages) healthfully.

Finally, while we are pleased that the CFBAI covers the entire school campus, grounds, and buses for the regular school day, the initiative also should apply to school-sponsored activities through the extended school day. Children should not be exposed to marketing for low-nutrition foods at any school events.
Though the CFBAI Principles disallow some junk-food advertising in schools, many other forms of school food marketing are allowed. For the CFBAI to be effective, the full range of in-school marketing at all school levels and all times of day should be covered in company pledges. We encourage the Council of Better Business Bureaus to revise its school advertising principles and for all member companies to update their pledges, as needed, to address all food and beverage marketing in schools. I look forward to discussing this further.

Best,

Margo G. Wootan, D.Sc.
Director, Nutrition Policy

cc:
Burger King Corp.
Cadbury Adams USA, LLC
Campbell Soup Company
Coca-Cola Co.
ConAgra Foods, Inc.
Dannon Company
General Mills, Inc.
Hershey Company
Kellogg Company
Kraft Foods Global, Inc.
Mars, Inc.
McDonald's USA, LLC
Nestle USA
PepsiCo, Incorporated
Unilever
School Food Marketing Approaches Covered by the CFBAI Elementary Food Advertising Principles (2009)

<table>
<thead>
<tr>
<th>Type of Marketing</th>
<th>Not Allowed</th>
<th>Allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Product sales</td>
<td>---</td>
<td>All food sales</td>
</tr>
<tr>
<td>Advertising</td>
<td>Direct advertising</td>
<td>---</td>
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</tbody>
</table>
| Displays & other marketing promoting food sales | --- | ▪ Vending machine exteriors  
▪ Menus & menu boards  
▪ Branded display racks  
▪ Branded coolers & refrigerator cases |
| Posters directed at students | Posters or tray liners that feature specific products or brands not tied to or related to items being offered for sale | Posters, signage, and tray liners that feature specific products or brands tied to or related to items being offered for sale |
| Teaching materials and incentive programs | Branded curricula and other materials with sales messages or embedded branded products | ▪ Branded curricula and other materials that identify sponsor or provider of materials  
▪ Branded food reward programs (e.g., for reading, good grades, or good conduct) and adult-directed marketing materials about reward program |
| Materials for students and staff | Coupons, food samples, pencils, book covers, etc. | ▪ Branded materials for staff (e.g., caps, calendars, aprons, etc.) |
| Fundraising and donations | | ▪ Fundraising programs (e.g., label redemption programs)  
▪ Formal gift-giving programs  
▪ In-kind donations of branded food (e.g., ready-to-eat or packaged)  
▪ In-kind donations of branded supplies (e.g., plates or cups)  
▪ Events off school campus (e.g., fundraising nights at restaurants and the in-school promotions for those events) |
| Other | Public service announcements with prominent brand or product depictions | ▪ Events after the extended school day (e.g., family nights)  
▪ Spokescharacters, celebrities, and other public service announcements, as long as company name or brand is “not central” |