

# FRAMEWORK FOR RESPONSIBLE COMMERCIAL COMMUNICATION OF FOOD AND DRINKS

*November 4, 2010*

## **Introduction**

The increasing worldwide attention to diet, physical activity and health is increasing the role and the responsibilities of the food and beverage industry and to the broader business community towards the communication of such products. While recognizing the freedom of commercial speech, in the same time the responsible communication of food and drinks suggest that the advertising and marketing communication should be not only legal, honest decent and truthful , but to give consumer a good understanding of the role of the healthy eating and physical activity in the balanced way of living

The National Council for Self-regulation (NCSR) takes special care about the standards for communication reaching children, because of their lack of experience and the limited capacity of children to assess the information that reaches them. Therefore the present Framework for responsible communication of food and drinks, adopted by NCSR, puts special requirements to the advertising and communication, reaching children. At the same time we should remain mindful that parents and other adults are responsible for a child's welfare and health, including choices about diet, physical activity and health. Moreover, parents, educators, the media and others institutions have important roles in helping children develop a critical understanding of marketing communication and other media messages so that they become better informed and well prepared to take independent responsible decisions.

The current Framework for responsible communication constitutes an integral part of the National Ethical Rules for Advertising and Commercial Communication (Ethical Code). The Framework specifies the application of some of the general rules of the Code to the foods and drinks and should be interpreted and applied along with the Code itself.

## **General Terms**

1. Nutrition information and claims about nutrition and health benefits should have a sound scientific basis.
2. Claims should be conveyed consistent with the nature and scope of the evidence, providing the consumer with supportable information.
3. Nutrition information and claims should also be judged by the likely perception of the reasonable consumer, especially where children and young people are concerned.
4. Food and beverage marketing communication should not encourage or condone excess consumption and portion sizes should be appropriate to the setting portrayed.

5. Marketing communication should not undermine the importance of healthy lifestyles.
6. Marketing communication should respect the spirit and the rules of NCSR for self-regulation in advertising and commercial communication in Bulgaria and the other industries self-regulation systems.

### **Honesty**

7. Where claims or terminology used in marketing communication might reasonably be interpreted by a consumer as health or nutrition claims, they should be supportable with appropriate scientific evidence.

### **Truthfulness**

8. Copy, sound and visual presentations in marketing communication for food and beverage products should accurately represent the material characteristics of the product featured, such as taste, size, content nutrition or health benefits, and should not mislead consumers concerning any of those characteristics.
9. Food products not intended to be substitutes for meals should not be represented as such.

### **Use of technical/scientific data and terminology**

10. All nutritional and health-benefit information and claims for food and beverage products should have a sound scientific basis.
11. Consumer taste or preference tests should not be used in a way that might imply statistical validity if there is none.
12. Testimonials should be based on well accepted and recognized opinion from experts.

### **Safety and Health**

13. Food and beverage marketing communication should not undermine the promotion of healthy balanced diets, nor the importance of a healthy active lifestyle.

### **Children and Young people**

14. Food and beverage advertising should not lead to physical or moral damage to children.
15. Food and beverage marketing communication should not mislead consumers about potential health or other benefits from the consumption of the advertised product, incl. status or popularity with peers, success in school or sports, or intelligence.
16. The commercial communication should not use techniques affecting the subconscious. When fantasy, including animation, is used in communication to children, care should be taken not to exploit a child's imagination in a way that could mislead him/her about the nutritional benefits of the product involved.

*Techniques for subliminal perceptions are indirect methods not designated as commercial messages and are not recognized as such by the audience, but may form a subconscious psychological response and attitude in the audience to the goods and services presented.*

17. Food and drinks marketing communication should not undermine the role of parents and other adults responsible for a child's welfare in guiding diet and lifestyle choices.

18. Advertisements should not include any direct appeal to children to persuade their parents or other adults to buy advertised products for them, taking advantage from their inexperience and easy credulity.

19. Food and beverage commercial communication should not immediately urging children to make their parents or others to purchase these products.

20. Marketing communication directed towards children for food and beverage products should not create a sense of urgency, or inappropriate price minimisation.

21. Marketers should strive to be sure that young children have an understanding of the products to be purchased, if any, to receive the premium; and for sweepstakes and contests, the conditions of entry, types of prizes and the likelihood of winning.

22. Sales promotion offers addressed to children should provide the conditions of the premium offer, sweepstake or contest being advertised in terms that children can understand.

23. The advertising and commercial communication, accompanying or included in children's programming, of foods and beverage containing nutrients and substances with a nutritional or physiological effect, in particular those such as fat, trans-fatty acids, salt/sodium and sugars, excessive intakes of which in the overall diet are not recommended, should correspond to the following criteria:

1. to be presented in such a way as not to abuse the trust of children in the quality of the featured products;

2. the information about the taste, size of portion and nutritional value of the product should be truthful, complete and clearly understandable;

3. the data about the quantity contained by the advertised product of carbohydrates, fats or salt etc. should not suggest in a misleading way positive effects on balanced diet (for example food product with high content of carbohydrates cannot be advertised by mentioning their low content or lack of fat or salt and vice versa);

4. should not abuse the special trust children have for parents, teachers and other role models (children idols) and thus to counter the cultivation of a balanced diet and healthy lifestyle; *"Children idols" are considered celebrities (including virtual figures like comics), which due to their popularity appear in ads aimed at children and therefore have the function of example (more, authority).*

5. must not contradict the healthy, active way of life. In particular advertisement may not imply that inactive lifestyles, compared to physical movement, is preferable.

6. must not contradict or detract from a balanced and healthy diet. In particular, it can not deny or diminish or discourage the consumption of fresh fruits and vegetables.

7. should not support or prompts to unbalanced or excessive consumption of advertised products and beverages;

8. positive presentation of unhealthy eating habits is unacceptable; refusal to consume such food or drinks should not be presented in a negative light;

9. no link whatsoever should be created between improving school performance and consumption of these products;

10. no suggestion should be made about any therapeutic or disease preventing impact of these products;

11. can not imply that this product can replace a meal. In particular advertisement may not imply that such products and beverages can be a complete substitute for vegetables and / or fruits;

12. low-calorie versions of these food products and beverages (so-called light versions) can not invite to excessive consumption of the low-calorie product.