

A Critical Analysis of the Children's Food and Beverage Advertising Self-Regulatory Initiatives

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This paper critically examines the self-regulatory Canadian and American Children's Food and Beverage Advertising Initiatives (CFBAIs). Responding to pressure from public health officials and policymakers concerned over childhood obesity, food and beverage advertisers have voluntarily signed onto the CFBAIs and through the programs have pledged to scale-back their advertising of unhealthy food and beverages to children. Through an analysis of advertiser "pledges" and other texts germane to these initiatives, I locate seven discursive frames that children's food and beverage advertisers use to legitimize industry self-regulation, fight off negative public perception, arouse doubt, and avoid regulatory intervention. These discursive frames are also compared to those used by other historically controversial advertising sectors, such as tobacco and alcohol. I conclude that the strategies of contemporary children's food and beverage advertisers are remarkably similar to those used by other advertising sectors that have faced threats of tighter regulation throughout the twentieth century.

This paper investigates how North American food and beverage makers are responding to mounting criticisms over children's advertising practices and threats of tighter regulation. Marketers and commercial media place an incredible emphasis on targeting children, because children represent an audience of direct purchasers, purchase influencers by means of "pester power," and future brand-loyal consumers who can be trained on brand names before they can read or write. Driven by the idealized tween consumer and a deregulated media environment, children's advertising has been booming since the 1980s. Children's commercial media culture is now almost entirely promotional in nature (McAllister and Giglio 2005). Moreover, children's advertising is a particularly innovative marketing domain. As children become "conduits from the consumer marketplace into the household," global brands of all types seemingly require a "tween strategy" (Schor 2004 11-12). Although children's advertising and marketing have come under fire throughout the twentieth century--and particularly in the

1970s—attacks on the consumer socialization and exploitation of young people have been mounting over the last decade, placing marketers under intense scrutiny. Criticisms of the consumer socialization of young people garner considerable attention within mainstream media and the academic literature, where historians, economists, psychologists, sociologists, anthropologists, communication scholars, and policy critics have all taken an interest in children's advertising and the regulation of these practices (see Banet-Weiser 2007; Chin 2001; Cook 2004; Dale 2005; Grimes 2008; Jacobson 2004; Jeffery 2006; Linn 2004; Schor 2004; Seiter 1993). Contemporary hot-button issues include advergames, online marketing and data mining, as well as the issue underlying this research: food and beverage advertising.

A critical mass of psychology, communication, public health, and policy research is currently being undertaken to understand the relationship between food marketing and childhood obesity (see Elliott 2008; Linn and Novosat 2008; Nestle 2002; Schor and Ford 2007; Zimmerman and Bell 2010). Various groups have placed children's advertisers under scrutiny across North America, arguing that the childhood obesity epidemic is at least in part due to branding efforts of unhealthy snack makers. In April 2008, an Ontario Member of Provincial Parliament proposed legislation to prohibit children's food advertising through a revision to the Provincial *Consumer Protection Act*. Likewise, the Chronic Disease Prevention Alliance of Canada, a network of Federal and Provincial organizations including the Canadian Cancer Society, made headlines in the spring of 2008 for a conference on childhood obesity, as well as a call for a blanket Federal ban on children's food advertising.

Such efforts mirror a battle that has been brewing in the United States for the last five years. Consumer groups Campaign for a Commercial-Free Childhood, Commercial Alert, and Children Now have lobbied the Federal Communications Commission (FCC) and/or Federal Trade Commission (FTC) to outlaw advertising food and beverages to children. Major public health research projects that link advertising to childhood obesity have also been conducted in the last five years (American Psychological Association 2004; Institute of Medicine 2005; Kaiser Family Foundation 2004 and 2006). Some government action has been taken in light of these efforts, particularly in the United States. An interagency task force on media and childhood obesity formed in 2006. The taskforce includes bipartisan congressional representatives, FCC chairs, and medical and academic members.

This paper critically examines the self-regulatory Children's Food and Beverage Advertising Initiatives as a case study to reveal the food industry's public relations strategy to secure unimpeded "market" regulation. Nearly identical CFBAIs, which will be explained in detail in the following section, have been launched in Canada and the United States. Major food and beverage advertisers have voluntarily signed onto the CFBAIs, and through the programs, have pledged to scale-back their advertising of unhealthy food to children under twelve. The CFBAI pledges provide a rich data source for qualitative analysis. Each pledge outlines the respective company's approach to the current children's health crisis. While global food and beverage advertisers have independently pursued various public relations and corporate social responsibility initiatives, the CFBAIs are worthy of investigation because they represent the North American food and beverage industry as a whole. Hence,

the CFBAI pledges offer a standard template to compare and synthesize the discursive strategies used by major children's advertisers in North America.

Several critics of the food and beverage advertisers' corporate social responsibility tactics liken these smoke and mirrors efforts to those of cigarette manufacturers (Schor 2004, 127; Simon 2006, 175). However, this aspect of child-directed food advertising has not been investigated in depth. A more detailed comparison of the discursive strategies used by both children's food and beverage advertisers and other controversial advertisers could reveal a larger pattern in how advertisers naturalize and promote business interests. In the following, my analysis of texts germane to these self-regulatory initiatives—including press releases, websites for the programs, and the individual advertiser “pledges”—locates the broad discursive frames that the industry invokes to weather the current crisis, but also situates these discursive frames in a larger socio-historic narrative. Stated another way, this paper examines how the CFBAI self-regulatory programs reveal the food and beverage industry's larger discursive strategy, and also compares this strategy to those used by other advertising sectors under the threat of regulation. Through a critical discourse analysis of CFBAI texts inspired by Fairclough's (1995) approach, I locate and contextualize seven discursive frames that children's food and beverage advertisers deploy to build legitimacy, fight off negative public perception, arouse doubt, and avoid regulatory intervention.

The Children's Food and Beverage Advertising Initiatives

On November 16, 2006, the American Council of Better Business Bureaus (CBBB) announced the Children's Food and Beverage Advertising Initiative. This program represents a voluntary and collective effort amongst top American food and beverage advertisers to emphasize healthier messages when targeting children. As of winter 2010, sixteen advertisers participate in the initiative. Each participant has submitted a pledge to the CBBB documenting the company's commitments to healthier children's advertising messaging, tailored to individual product lines and advertising practices. All pledges have to meet several minimum criteria. Participants must devote a minimum of half of all children's advertising—on any platform—to “better-for-you” messages. A better-for-you message could be one that features nutritional products or one that promotes physical exercise and healthy active living. Furthermore, all participants pledge to avoid using advergames and licensed characters to promote unhealthy snack foods, and cease advertising any food or beverage by means of product placements, or in elementary schools.

The Canadian food and beverage industry, alongside Canada's advertising industry self-regulatory organization, Advertising Standards Canada (ASC), followed the American lead. The ASC announced a Canadian CFBAI on April 16, 2007. Canadian participant pledges were submitted in February 2008 and were put in place by 2009. The Canadian initiative originally mandated similar minimum requirements in regards to healthier messaging, advergames, licensed characters, product placement, and advertising in elementary schools; however, as of January 2010 the Canadian initiative increased its minimum standards, requiring partici-

pants to devote all advertising communication to better-for-you messaging, instead of the original 50% quota. There are currently nineteen Canadian participants, including the Canadian counterparts of most of the American participants, as well as several smaller advertisers such as Jane's Family Foods. The ASC performs an auditing and enforcement role, similar to that of the CBBB. Indeed, through these two—and nearly identical initiatives—children's food and beverage advertisers appear to be on a mission to convince the public and policymakers that they are changing the children's food and beverage advertising landscape.

However, these programs are subject to criticisms that are common to any kind of media industry self-regulation (see Campbell 1999). Self-regulatory initiatives may sound effective, but often include ambiguous clauses and numerous loopholes that allow strategic advertisers to follow the rules literally to the letter, but not necessarily in spirit. Compounding matters, most self-regulatory bodies lack the ability to significantly punish their members for breaches. Boddewyn (1998, 9) suggests that advertising self-regulation fundamentally *must* be built on weak, vague, and unenforceable standards; otherwise, there would be fewer advantages for advertisers over government regulation. Taking the example of the Children's Advertising Review Unit (CARU), the American children's advertising self-regulatory body, Fried (2006, 137) points out that "rather than suffering from bad publicity, advertisers that have repeatedly violated CARU guidelines are instead praised by CARU in press releases for participating in the self-regulatory process." Simon (2006, 201) posits that if self-regulatory advertising codes were "truly reflective of a desire" to help children, there would be no need to heavily promote them—making a difference would be satisfaction enough. The food industry is then spending "more money advertising its so-called new responsible image than on actually being responsible" (Simon 2006, 201).

Jeffery (2006, 246) poignantly argues that advertisers "have both a vested financial interest in weak standards and a professionally honed skill for 'selling' such weak standards as tough regulatory oversight." This assessment appears to be accurate for both CFBAIs. In December 2009 the current FTC chair, Jon Leibowitz, criticized the inconsistent nature of the food industry's voluntary self-regulation (Lukovitz 2009). Companies participating in the CFBAIs enjoy some freedom in defining exactly what constitutes a "better-for-you" product. This is significant because both programs require a portion of all child-directed advertising be devoted to "healthy" messaging. Both the ASC and CBBB led initiatives ask that healthy products be defined only through reference to "government" or "scientific" standards. Kunkel, McKinley and Wright (2009, 32) discovered that some two-thirds of foods that comply with the company-written nutritional standards actually fall into the U.S. Department of Health and Human Services' lowest nutritional category. Likewise, the participating companies are given the freedom to define "child-directed" advertising. Each pledge includes a section where the company defines exactly what constitutes a children's media environment.

Moreover, several advertisers are not changing any of their practices, despite joining these initiatives. Jane's Family Foods is a charter participant in the Canadian program. However, Jane's has never advertised to children under twelve. The Jane's pledge is minimal, promising merely that the company will adhere to the

initiative's standards and inform the ASC *should* Jane's Family Foods start marketing to children. For reasons like this, Kunkel, McKinley and Wright's (2009) content analysis of American broadcast food advertising concludes that the American initiative is only slightly changing the food marketing landscape; although there is a slight decrease in the appearance of the most egregiously unhealthy foods, the food industry is nevertheless failing to promote genuinely healthy choices. Hence, consistent with a number of academic and public health critics, I approach the CFBAIs as crafted public relations tactics instead of stringent and publicly accountable regulatory measures. Be that as it may, because the CFBAIs function more for public relations than regulation, a critical analysis of these pledges allows me to tease out the food and beverage industry's larger strategy to promote business interests and control the debate over the food advertising controversy. Through the CFBAI texts the food and beverage industry deploys some of its most telling discursive strategies.

Research Design

Selection of Texts

The Canadian and American CFBAIs provide an ideal case to assess the North American food and beverage industry as a whole. While individual companies produce various social responsibility statements, the standardized format of the CFBAI pledges allows me to compare and synthesize the discursive frames used by dozens of prominent food and beverage advertisers. Each CFBAI pledge sketches how the advertiser will meet or exceed the minimum program standards by outlining the products that they will or will not continue to advertise, how these products meet acceptable nutritional standards, and in what media they will advertise. However, the texts provide far more than a banal listing of the products, ingredients, and media platforms. Each of the pledges contains some kind of preface--some a matter of sentences, some several pages in length--outlining the company's overall philosophy on children's healthy active living. These portions of the documents, triangulated by press releases and other official CFBAI texts, provide for the bulk of my analysis. The CFBAI texts are rich and persuasive rhetorical vehicles that reveal the imperatives of food and beverage advertisers, and more specifically, the discourses used to navigate the current controversy, avoid criticism, and forestall more significant regulatory intervention.

As outlined in the Appendix, a total of 48 CFBAI documents are included in this analysis. These texts include: all of the pledges, the press releases used to launch both the Canadian and American programs, the websites for each program, and other relevant background documents and factsheets available on the CBBB or ASC websites. The American CFBAI issued a press release each time a new company joined the initiative. These releases are excluded from the analysis as they merely summarize the content of the pledges, which are already included in the sample. Finally, the first annual progress reports for each CFBAI are included in the sample.

Analytical Approach

Fairclough's work on critical discourse analysis (1995) provides an analytic framework with which to approach the CFBAI texts. Critical discourse analysis spotlights power relations and battles for articulation or framing within even the most mundane kinds of texts--such as the generic corporate press release or social responsibility statement. Additionally, critical discourse analysis is advantageous because it allows for a detailed and interpretative "reading" of texts, but unlike other textual or content analyses, the approach is also able to connect the meaning created in texts to wider social, historical, and political *contexts*. Critical discourse analysis is useful to bridge the gap between "micro" and "macro" level discourses; for example, locating the larger voice of neoliberalism within a local policy text (see Goodwin and Spittle, 2002). Accordingly, this approach allows me to deconstruct the CFBAIs as persuasive devices but also go beyond the individual texts. For this analysis, I draw heavily on Fairclough's (1995, 135) concept of "order of discourse." An order of discourse is a totality of discursive practices and can be likened to a discursive frame; a reoccurring use of language and rhetoric that structures, constrains, and directs a given debate.

This approach to critical discourse analysis requires more than one "level" of analysis. Because I am attempting to tease out the orders of discourse that food and beverage advertisers rely upon to frame their position, and simultaneously place these identified frames in a broader context, my analysis unfolds over two phases. First, a critical textual analysis is performed on each document. During this process, through close attention to common word choices, phrases, insinuations, presuppositions, foregrounding, backgrounding, and omissions, I assess what discursive tactics are used by the industry to buttress its positions. Distinct coding categories emerge after reading each document several times. Through this process I identify seven orders of discourse (or discursive frames) that the North American food and beverage industry relies upon to frame its position--and stave off public criticism and policymakers. The second level of analysis goes beyond the texts. The seven identified discursive frames are situated in a broader socio-historic narrative to illustrate how food and beverage advertisers are following a remarkably familiar battle plan to ensure the success of unimpeded "market" regulation. Through cases such as patent medicines, alcohol, and tobacco, we can trace how advertisers often fall back on similar discursive strategies when placed under intense scrutiny. This macro context is briefly outlined in the next section. Then, moving from the macro context to the specific orders of discourse deployed by food advertisers in the contemporary context, the subsequent section of this paper delineates the seven identified CFBAI frames.

Context: The History and Politics of Advertising Controversies

The North American advertising industry has experienced a kind of legitimacy crisis for over a century, resulting in various attempts to quell public opinion, pro-

mote the business community as socially responsible, and avoid the possibility of more stringent regulation. Public opinion and policy battles reach back to advertising's origins in the nineteenth century patent medicine trade (see Johnston 2001; Lears 1994). Patent medicine advertising represents the industry's most carnivalesque side. However, a 1904 *Ladies' Home Journal* report brought advertisers under fire with evidence that patent medicines were in most cases a mixture of alcohol and water. Faced with negative public opinion, the larger progressive movement, and new government regulations such as the American Pure Food and Drug Act of 1906, Johnston (2001, 82) suggests it was necessary for all parties with a stake in turn-of-the-century advertising to "cooperate on behalf of the trade as a whole." Regional adworker clubs formed prior to World War I, launching numerous drives such as a "Truth in Advertising" campaign to overcome "the fickle winds of public opinion" (Johnston 2001, 80). The advertising crisis of the early twentieth century also resulted in the creation of local industry "vigilance committees" that monitored the practices of peers and assured the public of advertising's new supposedly responsible ways. The vigilance committees were eventually incorporated into the BBB--which today backs the American CFBAI.

The advertising industry, in following, has a long history of relying on self-regulation when facing public outcry and the threat of regulation. As Pennock's (2007) history of alcohol and tobacco advertising policy illustrates, both of these industries voluntarily ceased certain advertising practices (for example, cigarette companies refrained from ads with doctor testimonials) as a gesture of goodwill and a concession to eager policymakers. In the Canadian context, the Canadian Association of Broadcasters--representing media outlets that stand to benefit financially from alcohol advertising--reached a self-regulatory agreement with the Canadian Radio-television and Telecommunication Commission. Industry self-regulation has also been the primary way that children's advertisers have attempted to avoid government regulation (Lisosky 2001). The establishment of children's self-regulatory codes in the United States traces back to the early 1970s, when complaints over children's toy and food advertising were rampant. An industry whitepaper describes CARU (Children's Advertising Review Unit), the American self-regulatory body with jurisdiction over children's advertising, as emerging out of "a backlash against child-directed advertising" (led by such consumer groups as Action for Children's Television) and a threat that the federal government would intervene "absent an immediate meaningful response from the trade" (National Advertising Review Council 2004, 10).

The advertising industry has also invested in significant public relations strategies to suppress and deflect consumer resistance throughout the twentieth century. Stole's (2006) research documents the elaborate public relations tactics used by advertisers in the 1930s to spread messages about why business leaders are reliable and publicly accountable. Corporate philanthropy is often central in these public relations tactics to "soften" the image of big corporations and advertisers (see Marchand 1998). By the 1960s big tobacco sponsored artist exhibitions and a wide variety of cultural events. During this same period big tobacco also spent millions on its own scientific studies (see Brandt 2007). Pennock's (2007) work shows that the tobacco industry equipped itself with its own scientific research to counter any ex-

perts, reports, or published research upon which health critics relied. The big six tobacco firms at the time founded the Tobacco Industry Research Council in the 1950s. The tobacco industry's dependence on scientific research is particularly interesting. While critics and public health organizations buttress their arguments for advertising bans with scientific research, the industry simultaneously assembles a plethora of scientific reports and experiments. "Science" is not objective or static—it certainly does not make policy decisions cut and dry. The public health version science must face off against the industry's own science. In cases like tobacco and now children's food advertising, it becomes difficult to draw the line between investments in scientific research and investments in public relations.

When faced with public health concerns, the tobacco industry also spent millions developing new products such as low-tar and filtered cigarettes. Similarly, when the spirit industry came under attack in the 1970s and 1980s, they refocused their advertising to promote "light" brands of beer, and lower-alcohol wine coolers. Food and beverage marketers are currently following suit. As will be elaborated on in this analysis, children's food and beverage advertisers also tend to argue that the problem is complex, and often one of portion-control—hence blaming the individual consumer. The American alcohol industry in the 1950s relied on remarkably similar "moderation" messages, and went to great lengths to downplay the problems of alcoholism. The spirit industry hired the infamous public relations firm Hill and Knowlton to try and better associate liquor with sophistication and wealth—as opposed to alcoholism (Pennock 2007, 48).

Controversial advertisers have historically placed a strong emphasis on advertising as a necessary provider of information to individual, sovereign consumers. Throughout the "Truth in Advertising" campaign used to recover the image of the turn-of-the-century industry from the carnivalesque patent medicine days, the advertising industry promoted itself as a provider of information for the betterment of consumers in a free marketplace. Early twentieth century adworkers placed full-page ads in newspapers to inform the public about the social, business, and market benefits of advertising. With echoes of classical liberal economic theory, the new and more "professionalized" advertisers suggested they have an important role to play in providing the marketplace with the best information possible (Marchand 1985, 31). A distinct *neoliberal* ton—naturalizing the free market and the agency of individual, sovereign consumers—also surfaces in the current case of children's food marketing.

Consequently, critical discourse analysis is useful to connect the specific CFBAI texts to not only historical precedent, but also to the current ideology of neoliberalism. I surmise that the food and beverage industry has truly one goal in mind: avoiding more stringent government regulation through the promotion and celebration of the marketplace and business community. Discourses are especially powerful in advancing pro-business, anti-regulation, or neoliberal policy shifts. Harvey (2005, 42) argues that neoliberalism at its core plays on the discourses of freedom. Harvey argues that consent for pro-business policy is often won through the articulation of "freedom." In the specific case of advertising self-regulation, I deconstruct the articulation of advertiser "legitimacy." As will be teased out through the seven identified discursive frames, the contemporary food and bever-

age industry constructs itself as a fair, responsible, and ideal regulator of its own business practices. Through this discursive maneuvering, the CFBAIs naturalize the notion that businesses alone can adequately address a public health crisis—or other cases, that individual consumers are themselves to blame for consequences of advertised products. Moreover, not unlike the advertising industry nearly a century ago, the food and beverage industry justifies and normalizes not only itself as a legitimate regulator but also defends the very existence of advertising as a necessary information provider.

Orders of Discourse: Seven CFBAI Frames

Frame 1: Efficacy of corporate/internal self-regulation

Several food and beverage makers had already implemented internal guidelines that exceed the minimum standards of the CFBAIs. The pledges for these advertisers, as a result, promote internal guidelines and the efficacy of internal corporate regulation. The Cadbury Canada pledge describes the company's "Marketing Code of Practice" that prohibits any advertising to children under eight. Kellogg, likewise, cites its "Worldwide Marketing and Communication Guidelines." Unilever notes in both pledges that the company will cease all advertising in media aimed at children under twelve. This condition, according to the Unilever pledges, is a part of the "Unilever Global Guidelines." Unfortunately, these guidelines and codes are ultimately empty public relations gestures designed to naturalize businesses as satisfactory protectors of public interests. It is unlikely that a corporation would develop or enforce a policy that greatly reduces profits. Without any details of enforcement, or tangible examples of how daily operations are actually altered by these internal codes, these guidelines sound satisfactory on paper, but are likely meaningless in practice. As just one example, it is difficult to ensure children under a specified age are not watching food advertisements because most children also view many kinds of media beyond what is specifically aimed at young audiences.

The CFBAI pledges also foreground the extensive internal management and training practices that ensure all employees adhere to internal guidelines. The Campbell Canada pledge promises, "our most senior executives, including our Chief Executive Officer, personally oversee our process by which we review and approve advertising addressed to children before it is released to media to ensure it meets our guidelines." Dannon's American CFBAI pledge highlights the way in which marketing personnel attend "regular training by both the Legal and Regulatory Departments." Further details on this training are omitted. The General Mills Canada pledge, similarly, promises that the CFBAI commitment "will be enforced across the company through a strict internal review and approval process." General Mills Canada elaborates, indicating "all advertising to children, whether it is TV, radio, print or Internet will go through a rigorous review process, including pre-screening by ASC and internal approvals by General Mills Canada Corporation Marketing and Advertising senior management." This phrasing is an example of making a rather mundane process sound far more legitimate. General Mills is al-

ready—prior to the CFBAI—required to submit all child-directed broadcast advertising to the ASC. Canadian broadcast licenses require pre-clearance of children’s advertisements through the ASC. Furthermore, many national advertisers, regardless of regulatory issues, have senior management approve advertising materials for brand management and control reasons. Nevertheless, General Mills Canada’s pledge declares that all marketing employees “will be required to review and acknowledge their understanding of General Mills’ Marketing Guidelines annually.”

Frame 2: Efficacy of industry self-regulation

A related discursive frame spotlights the effectiveness of self-regulatory advertising industry bodies: the CBBB or CARU in the United States and the ASC in Canada. Invoking language that can be traced back to the Truth In Advertising movement from almost a century ago, the press releases and websites for each program are littered with words and phrases that construct self-regulation as transparent, publicly accountable, and rigorous. The April 16, 2007, Canadian press release notes that the Canadian CFBAI “will create a transparent, accountable compliance auditing process whereby Advertising Standards Canada, the independent advertising self-regulatory body, will publish the commitments made by the participating companies, audit their compliance and publicly report on the results on an annual basis.” This same press release defines the ASC as “the independent third party administrator,” backgrounding the industry’s funding of, and representation in, the organization; no self-regulatory body can be considered neutral or independent. The February 6, 2008, Canadian press release includes a quote from the ASC president, who boasts the Canadian CFBAI “strengthens Canada’s already rigorous framework for regulating children’s advertising.” The American program shares this same discursive framing. The July 2008 audit by the CBBB concludes, in an unabashed neoliberal declaration, “the program is showing that self-regulatory measures can play an important role in addressing public needs effectively.” This same report notes how the CBBB is committed to “dynamic, effective, and transparent self-regulation.”

Additionally, the CFBAI participants frequently use the pledges to welcome and/or applaud CBBB/CARU or ASC oversight. Kraft Canada notes that the company “has for many years been a strong supporter of Advertising Standards Canada (ASC) and its advertising self-regulation programs.” ConAgra believes that “adherence to these enhanced guidelines as actively monitored and enforced by CARU is a key component of a company’s marketing practices involving children.” Kellogg demonstrates their commitment to the well being of children with participation in “numerous self-regulatory programs and other voluntary marketing initiatives around the world.” Participating in the self-regulation process becomes a way for advertisers to express their commitment to the public. In turn, this framing attempts to legitimize the business community as effective and neutral regulators.

Frame 3: Corporate philanthropy

Following the model of big tobacco in the 1960s, the food and beverage industry invests in significant philanthropic endeavors. Mentions of these endeavors are frequent in a number of pledges. The Campbell pledges each mention the company's "Labels for Education program." General Mills, in both the Canadian and American pledges, discusses their "Champions for Healthy Kids Grants." The General Mills Canada pledge further foregrounds the company's contributions to amateur athletes, including Olympics hopefuls. The American General Mills pledge cites the "Presidential Active Lifestyle Awards" program. Nestlé Canada uses its pledge to highlight support given to Active Playground and the Red Cross Swim Program. Finally, Hershey's American CFBAI pledge describes the "Hershey Track and Field Games," a program "that introduces more than 400,000 children each year to the fun and reward of physical fitness." These references are curious. The CFBAIs did not require or even suggest that advertisers mention these kinds of philanthropic activities. The only required pledge content is how the individual advertiser will adhere to the minimum program standards. Additionally, these are not just any kind of philanthropic activities. All of the above-mentioned sponsorships relate to sports and physical activity programs. As will be discussed with the sixth frame, this can help *reframe* debates of childhood obesity away from issues of unhealthy food and towards issues of inactivity and sedentary lifestyles.

Frame 4: Rhetoric of "science" and "government" nutritional standards

Both CFBAIs allow individual advertisers to define precisely what constitutes a "better-for-you" product. However, the programs require that advertisers justify their definitions and qualifying products with reference to accepted "scientific" and "government" health standards. The chair of the American CFBAI, in a July 29, 2008 press release, commented that her team is "continually monitoring the latest research and development in nutrition science" to "ensure that participants base their-better-for-you nutrition criteria on established scientific and/or government standards." The rhetoric of "scientific" standards and research echoes throughout the pledges. In both CFBAIs Kraft cites that their nutritional standards "benefited from the input of Kraft's Worldwide Health and Wellness Advisory Council, a group of recognized experts from key health and wellness disciplines." The identities, training and qualifications of these experts are omitted, as is the exact definition of a "health and wellness discipline." The American Campbell Soup Company likewise foregrounds a "staff of resident nutritionists." Coca-Cola uses their American CFBAI pledge to discuss the company's dedication "to playing an appropriate role in helping address this issue . . . through science-based solutions and programs." Nestlé USA promises to "continually assess its nutritional standards and refine them based on nutritional science." Finally, Dannon describes the "Dannon Institute," an "independent, non-profit foundation dedicated to promoting research, education, and communication about the links between nutrition, diet and health." According to the pledge, "nutrition scientists" form the institute's board of directors. This foregrounding of scientific research and in-house nutritional experts—while generally leaving "science" as a vague and unquestioned category—is important for food and beverage advertisers. Many calls for food advertising bans come

from the scientific community and public health officials. If the industry appears to be up-to-speed on the latest scientific research on health and nutrition, how can other scientists attack them? Not unlike the research initiated by tobacco companies to downplay the health consequences of smoking, the food industry fights science with its own science.

CFBAI participants also foreground how their nutritional benchmarks are consistent with government standards. Burger King Canada emphasizes that the “healthier” products they will continue advertising to children are “based on Canada’s Food Guide, Health Canada’s Estimated Energy Requirements Tables and Health Canada’s Dietary Reference Intake Tables.” Campbell Canada also references the Canada Food Guide, and uses the guide’s standards to suggest “healthful snacking should be encouraged” because growing children “metabolize food more quickly than adults.” ConAgra’s nutritional standards are developed following “U.S. Dietary Guidelines and applicable Food and Drug Administration and U.S. Department of Agriculture regulations for food products.” Pepsi Canada notes that their “Smart Spot” criteria are “based on authoritative statements from the Food and Drug Administration and the National Academy of Sciences and tailored for use in Canada.” General Mills Canada, with more ambiguous phrasing, declares the company’s “Healthy Dietary Choices” standard is “based on the most current dietary recommendations and regulations from Canadian and international government authorities.” This may also function to arouse doubt in calls for advertising prohibitions. After all, why should governments take action when the industry is already closely adhering to government standards?

Frame 5: Product innovations

Foregrounding product innovations and new “healthier” offerings—often developed from the “innovative” scientific research highlighted in the previous frame—is another discursive strategy. Burger King Canada promises to use “product innovation as a vehicle to develop more menu options that promote a balanced diet.” In a similar vein, both McDonald’s pledges note how the company “continually” evaluates its menu, “looking for ways to serve products that fit into our customers’ lives.” General Mills Canada describes how the company recognized “the impressive body of research supporting consumption of whole grains” and in 2005 “made an important shift” to “ensure that whole grains are a key ingredient” in all cereals. According to Kellogg Canada, “the intent of our Nutrition Criteria is not only to determine what we can or cannot market to children, but to challenge our innovation efforts to provide even more nutritious choices for our consumers.” Interestingly, this phrasing removes agency; Kellogg’s paints the company’s own nutritional criteria as something external that they must respond to when in fact the company created the criteria in the first place.

The emphasis on product innovations is perhaps best represented in the branding and labeling practices of several food and beverage manufacturers. Unilever products that meet certain criteria receive an “Eat Smart” logo. Pepsi offers a “Smart Spot” program and both Kraft pledges outline the “Sensible Solutions” standards and product labels. These product lines are reminiscent of big tobacco’s

promotion of innovative “low tar” cigarettes, or the spirit industry’s introduction of lower-alcohol beers and coolers. The foregrounding of new and healthier products is one of many ways advertisers frame themselves as part of the solution to a public health problem.

Frame 6: Planting a vague skepticism

Yet, these same companies carefully author the pledges to avoid admitting they were ever part of the problem in the first place. The CFBAI texts use the phrase “better-for-you” to describe the healthier foods that advertisers must emphasize. The CFBAI avoids characterizing these as “healthy” foods, because this might imply other foods made by these companies are “unhealthy.” Through some careful discursive maneuvering, the food and beverage industry avoids conceding responsibility for childhood obesity. First, this framing is accomplished by emphasizing the “complex” and very much individual nature of the childhood obesity epidemic. The Campbell Canada pledge, for example, maintains that “different individuals have different needs” and “healthy dietary choices may vary for different children and different times.” Not unlike what the alcohol industry argued several decades ago, these pledges place blame on individuals and reframe the issue as one of portion control and moderation—instead of heavily advertised unhealthy products. Both Mars pledges state “confectionary and snack foods are treats that can be enjoyed by the whole family, but *should be consumed only in moderation*” (emphasis added). McDonald’s describes how their new healthier Happy Meal constitutes an example of “portion control.” Campbell places the blame on the tendency for children to over-indulge, stating in both pledges, “many children do not know how to construct a healthy diet or avoid over-indulging in calorie-dense but nutrient-poor foods and beverages.” As is becoming typical in a deregulated and privatized neoliberal climate, blame is placed on individuals.

Secondly, the pledges are used to reframe the issue as one of inactive children—not unhealthy foods. This reframing is accomplished primarily through donations to youth sports and recreation, described at length under the corporate philanthropy frame. However, several pledges make more general statements on physical activity. General Mills Canada argues the company has “a long history of advocating increased levels of physical activity and support of fitness programs, particularly for children, in public policy arenas and through various private sector initiatives.” Weston Canada, likewise, “takes very seriously its role in promoting to Canadian children a healthy, active lifestyle.” Together, these interrelated discursive tactics plant doubt about the causal connection between food advertising and the health of children.

Frame 7: Consumer sovereignty and parents as gatekeepers

Picking up on a theme hinted at previously, the final frame explicitly points fingers at individual parents as sovereign consumers and the “gatekeepers” for children’s consumption. Nearly every pledge makes some kind of statement that presupposes parents are ostensibly responsible for the children’s nutrition and the sole

thing an advertiser can do is “support” the role of parents and caregivers in this regard. Both Kraft pledges state “it remains the primary responsibility of parents to guide their children’s behavior in these areas,” but the company is “voluntarily pursuing this Initiative as a means of assisting parents in their efforts.” A background document for the American CFBAI contains identical language, suggesting “industry members are voluntarily pursuing this initiative as a means of assisting parents in their efforts.” The word “gatekeeper” appears in several pledges. Both Coca-Cola pledges include the following statement: “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.” Mars Canada declares, “we will continue to advertise our traditional confectionery and snack food products and brands in venues suitable for families, and respect the important role of parents as gatekeepers of the products that children under 12 consume.”

Campbell Canada commits to “advertising that supports the efforts of Canadian families to encourage their children to make healthy lifestyle and dietary choices.” Through this framing, Campbell is able to place the ultimate responsibility of a purchase in the hands of the sovereign consumer (the parent). Consistent with a liberal economic theory of consumption, and consistent with what the advertising industry argued a century ago, advertisers allegedly provide information so the rational consumer can make a well-informed purchasing decision. The Campbell Soup “Global Guidelines for Responsible Advertising to Children,” included in the company’s Canadian pledge, asserts, “advertising communications provide all of us with useful information to help make everyday decisions that enrich our lives with new ideas, products and experiences.” According to these same guidelines, Campbell aims to provide parents with the best information, because “parents and guardians are important gatekeepers in helping children make informed food choices.” A subtle neoliberal celebration of the value of advertising as an information provider to sovereign consumers is evident. Advertising is naturalized as a positive information provider that can, to use a phrase from Campbell, “enrich” the lives of consumers. Advertising audiences are assumed to have power; as such, individual consumers (in this case, parents) should also take the blame for ill effects. This is frame is particularly difficult for many critics to accept. Several scholars (Linn 2004; Schor 2004) have noted how advertisers place children and adults in an adversarial relationship, relying on the “pester power” of kids to access the wallets of parents. After years of trying to undermine the authority of parents by appealing to children, these same marketers are suddenly asserting and “respecting” the role of individual parents as gatekeepers to children’s consumption habits.

Further Discussion

This analysis dealt with the North American food and beverage industry as a single entity with a united goal: to convince citizens and policymakers that the marketplace can adequately respond to a public health problem; thus, more stringent regulation is unnecessary. Indeed, I treat the two CFBAIs as a single case because the

programs allow me to examine the positions of both the Canadian and American food industries. The discursive frames are consistent across both Canadian and American pledges. In fact, several companies with headquarters in both nations use the same pledges for each program. The programs themselves have similar minimum standards, and identical procedures for approving and auditing the pledges. The similarities between the two CFBAIs are logical as the main American players in advertising food and beverage products to children are also the core players in Canada.

Canada and the United States have historically witnessed a long-term struggle between the advertising industry and government. Both nations have dealt with problematic advertising categories—alcohol, tobacco, and children—with industry co-operation and self-regulatory bodies. Notwithstanding, the policy environments in Canada and the United States are quite different (Lisosky 2001, 839). There is arguably less pressure in Canada on children's food and beverage advertisers compared to the United States. In a fall 2008 address to Congress, the chair of the American FCC reported being dissatisfied that media companies are not taking enough action to limit food and beverage advertising. During this same address, the FCC chair cited the complete ban that has been in place in the United Kingdom for several years. In 2008 the FCC also initiated a hearing process on the issue of product placement on children's television. Furthermore, the voice of consumer groups pushing for an advertising ban—such as Commercial Alert, Children Now, or Campaign for a Commercial-Free Childhood—is louder in the United States. The Canadian initiative was even launched with at least a partial Federal government endorsement. The most significant connection between the launch of the Canadian CFBAI and the Canadian government is the presence of (then) Health Minister Tony Clement. Clement was on hand for a press conference which launched the Canadian initiative and is quoted in a February 6, 2008, press release, declaring “clearly it's time for a new way of thinking and acting, and I commend responsible industry members who are preparing to help tackle this issue.” Clement shares the industry's framing; he congratulates the “responsible” industry.

Differing consumer action and policymaking environments aside, children's advertising controversies are particularly unique as they represent one of few areas of advertising that policymakers may be able to take action on; thus testing the limits of commercial free speech rights. Children's advertising marks an important fissure, an entry point to debate the social function and consequences of advertising and consumer culture. Kline (1993, 12) suggests it is easier to “recognize the deeper paradoxes of our consumer culture when it is refracted back to us through the mirror of childhood.” Consumer activism in the late 1960s and 1970s brought children's advertisers under the microscope in Canada, the United States and several European nations. The FTC came remarkably close to outlawing children's advertising in the late 1970s. The Canadian province of Quebec, through its *Provincial Consumer Protection Act*, banned all advertising to children under the age of thirteen in 1980. The case of children's food advertising could provide an opportunity to understand and debate advertising, consumer culture, and the regulation of such practices.

Advertising controversies, past and present, represent a rich topic to investigate

the social implications of our consumer culture. As Slater (1998, 3) contends, “the great issue about consumer culture is the way it connects central questions about how we should or want to live with questions about how society is organized.” Within debates over controversial advertising practices, important questions are posed concerning values, science, health, constitutional rights, the nature of commercial free speech, the agency of individual consumers, how can lines be drawn around consumer culture, and who should draw such lines (Gower 2005; Leiss, Kline, Jhally and Botterill 2005; Pennock 2007). It is important to continuously monitor the way in which the advertising industry attempts to control such debates; this industry has been pursuing a business-friendly deregulatory climate for more than a century.

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Appendix: List of all documents used for analysis

Canadian CFBAI documents (25 total). All documents were accessed from the Advertising Standards Canada official website during the fall of 2009: <http://www.adstandards.com/en/childrensinitiative/default.htm>

Participant pledges:

- Burger King Restaurants of Canada Inc.
- Cadbury Adams
- Campbell Company of Canada
- Coca-Cola Ltd.
- Ferrero Canada Ltd.
- General Mills Canada Corporation
- Hershey Canada Inc.
- Janes Family Foods Ltd.
- Kellogg Canada Inc.
- Kraft Canada Inc.
- Mars Canada Inc.

McCain Foods Canada
McDonald's Restaurants of Canada Limited
Nestlé Canada Inc.
Parmalat Canada Inc.
Pepsico Canada
Post Foods Canada Corp.
Unilever Canada Inc.
Weston Bakeries Limited

Press releases:

July 14, 2009. "Advertising Standards Canada releases first Compliance Report on Canadian Children's Food and Beverage Advertising Initiative"

February 6, 2008. "Leading food and beverage companies release commitments on children's advertising."

April 16, 2007. "Canada's food and beverage industry unveils integrated child-focused initiatives."

Other texts:

Canadian CFBAI website.
Canadian CFBAI background information document.
Canadian CFBAI first annual Compliance Report (July 2009).

American CFBAI documents (23 total). All documents were accessed from the Council of Better Business Bureaus official website during the fall of 2009: <http://www.bbb.org/us/childrens-food-beverage-initiative/>

Participant pledges:

Burger King Corporation
Cadbury Adams USA LLC
Campbell Soup Company
The Coca-Cola Company
ConAgra Foods Inc.
The Dannon Company Inc.
General Mills Inc.
The Hershey Company
Kellogg North America Company
Kraft Foods Global Inc.
Mars Snackfoods US LLC
McDonald's USA LLC

Nestlé USA Inc.
Pepsico Inc.
Post Foods
Unilever United States

Press releases:

January 14, 2009. “New year brings new changes to children’s food and beverage advertising landscape.”

July 29, 2008. “BBB issues progress report on Children’s Food & Beverage Advertising Initiative.”

July 18, 2007. “Better Business Bureau announces Food and Beverage Advertising Commitments From 11 industry leaders.”

November 14, 2006. “New food, beverage initiative to focus kids’ ads on healthy choices.”

Other texts:

American CFBAI “Fact sheet.”
American CFBAI background information document.
American CFBAI first annual compliance report (July 2008).

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