

To: Foodadvertising@ofcom.org.uk

27 December 2006

Kellogg response to the Ofcom Statement and further consultation: Food and drink advertising to children – extension to under 16s. Issue for consultation:

In light of the impact of Modified Package 1, in particular on the revenues of music channels, Ofcom is seeking views on Modified Package 1 in so far as it extends the restrictions contained in Package 1 to children up to 16.

Summary response:

- We fully support and endorse the full submissions from the Food Advertising Unit of the Advertising Association (FAU) and ISBA the representative body for UK advertisers. Please refer to submissions provided by these bodies.
- We oppose the extension to children up to 16 because:
 - The Government's PSA targets and policy, as stated by the Minister for Health, are primary school children - to reduce the year on year rise in childhood obesity ion under 11s. This correlates with the position adopted in the Government White Paper on Choosing Health and their new Social Marketing programme.
 - There is a lack of evidence this age extension will benefit the Government targets on reducing obesity. Indeed, there appears to have been little analysis of the benefits, if any, to be gained from the extension.
 - The proposed restrictions are not appropriate for achieving the desired objectives and are not proportionate.
 - It is not supported by Ofcom's evidence, which was the basis of the earlier consultation, which focussed almost exclusively on young children. The reasons provided by Ofcom for the proposed extension to under 16s are not substantiated by evidence.
 - It also does not fit with the content proposals for broadcast advertising.
 - The food and drinks industry equates to some 15% of UK GDP, employing over 500,000 individuals and there has been no proportionality impact analysis assessing the impact of the proposals on the food and drink companies in the UK.
 - It will capture a new set of food and drink companies, previously not impacted by the proposals, since they have public policies not to advertise to children under 12. These companies may have chosen not to participate in the earlier consultation for that reason and will have now lost the opportunity to influence the underlying policy for the restrictions. Their position will presumably also not have been evaluated previously.