

# Submission by McDonald's Restaurants Limited to the Ofcom Further Consultation on Television Advertising of Food and Drink Products to Children

## **1.0 Introduction**

1.1. This submission sets out the position of McDonald's Restaurants Limited on the OFCOM Further Consultation on Television Advertising of Food and Drink Products to Children. It supplements our original submission dated 30th June 2006 to OFCOM's earlier consultation.

1.2. McDonald's is a responsible advertiser. We comply with all the relevant codes of practice and have our own set of principles that we abide by for the advertising and promotion of our Happy Meals and all other menu items in the UK.

## **2. Extension of Restrictions to Children up to 16**

2.1. McDonald's recognises that OFCOM has a number of duties which include the protection of under 18s and regulating in a proportionate, transparent and least intrusive manner. Given these considerations, we agree with OFCOM's decision to reject a pre-9pm ban on HFSS television advertising to children. We also agree with OFCOM that extending Modified Package One to include an additional prohibition on HFSS advertising and sponsorship from 4pm to 6pm (Option 5) and further from 4pm to 8pm (Option 6), would not be justified having regard to all the relevant factors including the intrusion of restrictions into adult airtime.

2.2. We make the following further comments:

2.2.1. Firstly, the proposed extension to cover young people aged under 16 goes well beyond OFCOM's first regulatory objective of reducing significantly the exposure of younger children to HFSS advertising.

2.2.2. Secondly, extending the restrictions to under 16s would intrude further into viewing by a significant number of adults. This would appear to be inconsistent with OFCOM's fourth regulatory objective of avoiding intrusive regulation of advertising during adult airtime, given that adults are able to make informed decisions about advertising messages.

## **3. Nutrient Profiling**

3.1 We note that OFCOM proposes to use the nutrient profiling model developed by the Food Standards Agency (FSA) to target HFSS food and drink products that are advertised on television.

3.2 We have strong objections to the use of this FSA nutrient profiling model. The model takes an arbitrary product by product approach to food, based on 100g. As a foodservice company rather than a food manufacturer, McDonald's principally provides its customers with meals. We believe that the FSA's nutrient profiling model is inappropriate in its application to meal combinations. An alternative to this one 'size fits all' approach to nutrient profiling would be an approach that embraces Guideline Daily Amounts (GDAs). Such an approach would better take into account frequency of consumption and the role that certain foods play within a balanced diet.

#### **4. Conclusion**

4.1 We have welcomed the opportunity to engage in various stages of the consultation process and we will of course respect the revised television advertising code once it is finally published by OFCOM.

McDonald's Restaurants Limited  
22<sup>nd</sup> December 2006