

A Review of Food Advertising to Children in Quebec




coalitionpoids
québécoise sur la problématique du

Une initiative parrainée par l'Association pour la santé publique du Québec

Foreword

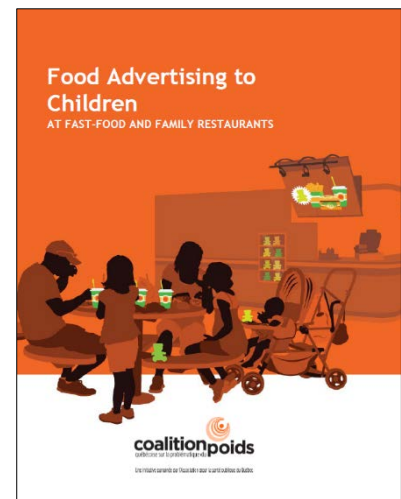
This report, produced by the Quebec Coalition on Weight-Related Problems (Weight Coalition), outlines advertising strategies aimed at children under the age of 13 in Quebec. It is part of a series of four documents that presents an overview of food advertising directed at children in the food retail sector, fast-food and family restaurants, as well as family venues and events.



Food Advertising to Children in the Food Retail Sector



Food Advertising to Children at Family Venues and Events



Food Advertising to Children at Fast-Food and Family Restaurants

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Quebec Coalition on Weight-Related Problems

The mandate of the Quebec Coalition on Weight-Related Problems (Weight Coalition), an initiative sponsored by the Association pour la santé publique du Québec, is to advocate for legislative, regulatory and public policy changes in an effort to foster the creation of healthy lifestyle-promoting environments that help prevent weight problems and chronic conditions.

The Weight Coalition has the support of more than **550 partners** from the education, municipal, health, research, environment, nutrition and physical activity sectors.

4529 Clark Street, Suite 102
Montréal, Quebec H2T 2T3
Tél. : 514-598-8058
info@cqpp.qc.ca | cqpp.qc.ca
twitter.com/CoalitionPoids
facebook.com/CoalitionPoids


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Introduction

Children are vulnerable to advertising targeted at them because they are unable to recognize the commercial goals of marketing. They actually only understand the nature of advertising at the pre-teen stage, namely at around the ages of 11-12^{1,2}. Prior to that age, their cognitive development prevents them from detecting the persuasive intentions of advertisers and to use critical thinking, which makes them vulnerable to the different strategies used on them.

Since 1980, under section 248 of the *Consumer Protection Act* (CPA), in Quebec, “no person may make use of commercial advertising directed at persons under thirteen years of age.”³ However, exceptions to the Act result in children not being fully protected from the consequences of the advertising directed at them.

Nevertheless, it appears that, in Quebec, Francophone families with children consume significantly less fast food than the Canadian average and than Anglophone households in Quebec with children.^{4,5} Their chances of buying fast food appears to be 13% lower. This difference in the consumption frequency would appear to be the result of the Quebec legislation regulating advertising directed at children.^{6,7}

Impact of Food Advertising Directed at Children

The literature identifies several effects of commercial advertising on children:⁸

- attitude towards consumption;
- nagging of parents;
- loss of value of authority;
- brand preference;
- unhealthy eating habits.

Research shows a link between the promotional activities of the food industry and the **knowledge, attitudes towards junk food, food preferences and eating habits** of young people.^{9,10,11,12,13} Namely, advertising directed at children increases preferences for high-calorie foods, in particular among those children who watch more television¹⁴ and in overweight children.¹⁵ In the 2-6 age range, even very brief exposure (10 to 30 seconds) to advertising may influence their preferences.¹⁶ Furthermore, according to an American study, children appear to consume 45% more snacks when exposed to food advertising on television.¹⁷

Given its mandate to prevent and reduce obesity, Weight Coalition is concerned with the consequences of food advertising directed at children.

Context

Quebec has been in an exceptional position since 1980 with respect to regulations on advertising directed at children. Through sections 248 and 249 of the *Consumer Protection Act* (CPA),¹⁸ the province prohibits commercial practices targeting children under the age of 13.

The Weight Coalition reports the illegal exposure of Quebec youth to food or drink advertising, and documents the advertising practices that persist due to exceptions to the application of sections 248 and 249. Over the past decade, the Weight Coalition has recorded and reported to the Office de la protection du consommateur several advertising practices that illegally target children, which has led to many **convictions** (appended). In addition to these illegal practices, application exceptions, such as window displays, showcases and packaging, are still widely used by retailers and food companies to target young people in different places, and cause repeated nagging of parents.

Given the persistence of advertising directed at children in Quebec, and the federal government's intention to introduce legislation to regulate the advertising of unhealthy foods to children, the **Quebec context must be reviewed**. In addition to informing public health actors and raising awareness among parents of the advertising directed at their children, this review will make it possible to assess any possible consequences of federal regulations on children in Quebec, who are partially protected.

Methodology

Between the fall of 2018 and the spring of 2019, the Weight Coalition produced a qualitative portrait of food advertising targeting children under 13 in Quebec.

Targets and Exclusions

Over the past 10 years, the Weight Coalition has observed and documented the presence of advertising directed at children in different sectors: **shops, restaurants, events and venues**. The sectors used in order to document this advertising are based on this experience.

Targeted Settings:

- grocery stores, pharmacies and food retailers;
- family and fast-food restaurants;
- family venues and events.

Exclusions

Although advertising targeting children was observed in sports leagues and sporting events as sponsorships, these areas are excluded from the portrait since the current version of Bill S-228 provides an exception to this.

The advertising found in mainstream media directed at children under 13 is also excluded because it is illegal in Quebec, whether on television or online.

Advertising Used

For this portrait, only advertising clearly directed at children under 13 was used. Advertising that could interest certain children, but which appears to be more directed at an adolescent audience was not used.

Advertising Target

In order to determine whether advertising is directed at children under 13, the **context of the presentation of the advertising message** was analyzed based on the provisions for applying the Quebec legislation.

Advertising Used:

All food advertising using a product or method for presenting the message that may spark the interest of children under 13 and appearing in a place or at a time when these children may notice it.

For example, the following advertising strategies are ways of reaching out to children:^{19, 20}

- geometric shapes, references to magic, fantasy, action and adventure;
- use of positive images (humour, pleasure, independence, freedom, popularity, success), children or children's voices;
- use of popular characters (*Barbie*, *Spiderman*, etc.) or celebrities (music, movies, sports, etc.);
- brand characters or mascots;
- foods as toys (foods in the shape of letters of the alphabet or animals, string cheese);
- contests, games and sports competition;
- subscriptions to children's clubs, birthday parties, or local events;
- promotions on packaging (discount coupons and special offers);
- fun packaging formats (mini, embossed design, fluorescent);
- partnership with sports, recreation or tourist organizations directed at children;
- collectibles, gifts (figurines, sports cards, DVD);
- displays or visual layouts that attract children's eyes.

Products Advertised

Given that the nutritional criteria of a prospective federal law were not known at the time the data was collected, **all food or drink advertising directed at children was documented**, regardless of nutritional value.

Nevertheless, in order to make general observations and allow for subsequent analyses, the presence and quantity of nutrients requiring reduced consumption, such as sugar, sodium and saturated and trans fats, were recorded in a table for each product advertised to children. The presence of intense sweeteners was also noted given the trend among industries in replacing certain sugars with these sweeteners in a growing number of food products, and the increasing vulnerability of children to exceed the safe levels established by Health Canada.

Data Collection

The method chosen to document the presence of advertising directed at children differs from one area to the other since advertising techniques vary depending on the place. In order to determine which collection procedure is best adapted to each area, the Weight Coalition' field experience was considered and the literature was reviewed in order to find similar projects. Detailed procedures for collecting data and tables for analysis were developed to systematize the approach and minimize the differences between evaluators.

1. Grocery Stores and Food Retailers

Identifying Advertisements

Advertising directed at children was identified in businesses during exploratory visits to different food retailers. All of the aisles and sections of the business were observed in order to look for advertising directed at children. Each advertisement is identified only once. Visits to businesses continued until data saturation was achieved, i.e., until the visits did not provide any new advertisements.

Visits took place at different times during the project period (October 2018 to April 2019) in order to capture both common packaging and special edition advertising during the major holidays children love. The businesses chosen were visited at different times, namely Halloween 2018, during the 2018-2019 Christmas/year-end holidays, Valentine's Day 2019, and the weeks leading up to Easter 2019.

Selection of Businesses Visited

At least two grocers, each representing the major supermarkets available in Quebec (IGA, Provigo-Maxi, Métro-Super C, Intermarché) were visited, as were major convenient store chains (Couche-tard, Voisin). Non-traditional food stores, such as department stores and drug stores, were also included (e.g., Walmart, Dollorama, Jean Coutu, Pharmaprix, Familiprix). The visits were carried out in the greater Montreal region (including the northern and southern suburban areas), Mauricie and the National Capital Region.

In order to ensure the largest possible number of advertisements were identified, businesses located in different socio-economic and cultural sectors were visited, but the analysis does not distinguish these characteristics.

In-store Procedure

Covering all of the retail business's sections, food products containing advertising directed at children on the front of the packaging were noted and photographed using a smartphone with a camera. All sides of the package containing an element intended for children (character, bright colours, childish drawings or messages, etc.) were photographed, as was the Nutrition Facts table and list of ingredients.

The identification of the displays, boxes and other advertising techniques directed at children in food retailers were also photographed.

Analysis Procedure

a) Photograph classification

Following the visit of the business, the packaging photographs were imported and renamed according to the following format:

[Manufacturer's name]-[Product brand name]-[Flavour or type, where applicable]-[Place and date of the photograph identified by the first two letters of the name of the store visited, followed by the first three letters of the postal code and the date in the following format: YYMMDD]

For example, the front of a box of Bear Paws with chocolate chips, photographed on January 18, 2019, at the IGA located at 307, boulevard Cartier Ouest in Laval, H7N2J1, is identified as follows: **Dare-Pattesdours-Pepitesdechocolat-IgH7N190118**.

**Of note that if different advertisements are available on the same products (e.g., different box models for the same cereal), a letter in ascending alphabetical order followed by a hyphen is introduced after the flavour to differentiate them.*

b) Completion of the descriptive tables of the advertisement and of the product's nutritional value

Each package is described in the Excel table in order to catalogue the advertising techniques used and to indicate the product's nutritional information.

The file includes information on the product, its brand name and main marketing elements found on the packaging, and classifies the food in a category (e.g., drinks, fruits of vegetables, grains, candy and chocolate, snacks) It is then completed by indicating the presence (1) or absence (0) of each of the strategies listed, which makes it possible to identify the most frequent techniques according to the product categories and those that combine the largest number of strategies.

The table containing the nutritional information indicates the serving size, amount of sugar (g), sodium (mg) and saturated or trans fats (g), as well as the presence or absence of nutritional or health claims and intense sweeteners, namely one of the following molecules:²¹

- Advantame
- Acesulfame potassium
- Aspartame
- Calcium saccharin
- Erythritol
- Hydrogenated starch hydrolysates
- Isomalt
- Lactitol
- Maltitol or maltitol syrup
- Monk fruit extract
- Neotame
- Saccharin, potassium saccharin or sodium saccharin
- Sorbitol or sorbitol syrup
- Stevia steviol glycosides or rebaudiana Bertoni
- Sucralose
- Thaumatin
- Xylitol

In 2016, Health Canada developed new nutritional labelling,²² but the food industry has until December 14, 2021, to comply with it. This transition period means that the new labelling stands alongside the old version on products in bars. In the spirit of this regulation, and to take into account the fact that the serving indicated on the package for the same category of product varies, servings under 50g have been adjusted to this quantity when calculating the percentage of the daily value of sugar, saturated fat and sodium. This facilitates comparisons and the ability to find products that are low or high in these nutrients.

c) Slide show illustrating the advertisement for each package

A slide show was produced with PowerPoint for each package, presenting a photograph of the front of the package and the other sides of the product containing advertising directed at children.

To facilitate the visual inventory of advertisements on packages, the products were grouped in different PowerPoint presentations according to the following product categories:

- Drinks
- Candy and chocolate
- Snacks
- Breakfast
- Frozen desserts
- Holidays
- Holidays: candy and chocolate
- Sweets (e.g., fruit jujube, sweetened popcorn, marshmallow cone)
- Fruits and vegetables
- Frozen products
- Dairy products
- Fast food

2. Family Restaurants

Identifying Advertisements

Marketing strategies targeting children in popular fast-food and family restaurants in Quebec were catalogued using visits and online searches. Thus, with the exclusion of traditional media, the following advertising techniques were inspired by the nutritional assessment and fast-food marketing investigation conducted among youths by the Yale Rudd Center in 2010²³ and were documented.

Identified Advertising:

- entertaining menus and activity books;
- childish packaging of meals and food;
- toys offered with meals;
- posters, display cases and puzzles;
- food product placement;
- web sites and online games;
- brand characters;
- children's play and party rooms;
- commercial toys with the restaurant's design;
- etc.

The data was collected in February, March and April 2019, in the municipalities of Montreal, Mauricie and the National Capital.

Choice of Restaurants Visited

Twenty chains of popular Quebec fast-food and family restaurants, with 20 locations or more in the province, were visited.

Restaurants Identified:

- A&W
- Benny&co
- Boston Pizza
- Burger King
- Cage aux sports
- Cora's
- Dominos
- Harvey's
- La Belle province
- McDonalds
- Mikes
- Normandin
- Pacini
- PFK
- Pizza Hut
- Scores
- St-Hubert
- Subway
- Tim Hortons
- Valentine

In order to compile the information systematically, Excel observation charts were produced based on commercial strategies targeting children in this type of business.

To facilitate the identification and analysis of the marketing strategies used, the restaurants were divided into the following three categories:

- fast-food restaurants: the client orders and pays before eating;²⁴
- family restaurants: full-service restaurants;²⁵
- both models: restaurants offering the fast-food and/or family restaurant formula, depending on the business.

In-restaurant Procedure

During our visits to the restaurants, our observation focused on the following elements:

- menu presentation;
- meal presentation;
- advertising posters including meals and any other product offered (games, effigies, etc.) located throughout the restaurant (at the counter, drive-thru, outside and inside the restaurant);
- brand characters.

Photographs of the premises and, where applicable, of the children's menu were taken whenever possible. If games or packaging for children came with the meal, a kid's meal was purchased in order to take pictures of it.

Review of Website Advertising

For those restaurants' websites, the following aspects were noted in the charts:

- engagement techniques that include games, videos and music;
- products sold including kids' meals and promotions;
- the messages conveyed.

More specifically we sought to note on the restaurant's website the section corresponding to kids' meals and to observe:

- the presence of an age verification window prior to authorizing access to the children's section;
- the images proposed;
- the bright colours used;
- the messages written that are directed at children;
- emphasis placed on gifts offered with meals (toys, colouring books, bags, etc.);
- activity books (to be downloaded or saved).

Afterwards, knowing that certain businesses change their advertising based on language, the differences between the pages in French and English were noted, where applicable.

3. Family Venues and Events

In the past few years, the Weight Coalition has indexed posted ads and food product sponsorships found at family venues and events (e.g., amusement parks, zoos, family festivals). Once reported, the ads at those sites were usually removed or changed. However, new ads may have appeared since then.

Choice of Venue

In view of budget restrictions, travel, costs for admission to the sites for the observer, and, in certain cases, the need to be accompanied by a child to access attractions (additional cost), the number of venues was limited to a dozen from among **the most popular attractions in Quebec**, and to major **free events** taking place during the project's data collection period, namely between October 2018 and April 2019. Archives also helped to complete the picture in order to make some observations, in particular for seasonal venues (indicated with an asterisk (*)).

The places reported for advertising directed at children over the past few years were chosen first as potential sites. The following venues in particular were identified due to the presence of advertising directed at children observed in the past: La Ronde, the Jungle amusement park in Laval, the Galeries de la Capitale amusement park, Santa's Village, the Granby Zoo, the Quebec City Carnival, and la Fête des neiges de Montréal. Other relevant family venues were chosen by consulting websites^{26,27} listing must-see tourist attractions for families with children under the age of 13.

National Capital

- Quebec City Carnival (February 8 to 17, 2019)
- Méga Parc des Galeries de la Capitale
- Mont Massif
- Mont Sainte-Anne

Laurentians

- Santa's Village
- Mont Tremblant
- Val Saint-Côme
- Mont Morin Heights

Laval

- Jungle
- Laval Family Festival *

Montréal

- Santa Claus Parade – Destination: Downtown (November 17, 2018)
- Fête des neiges (Weekends from January 19 to February 10, 2019)
- La Ronde

Montérégie

- Funtropolis
- Granby Zoo*
- Ski Saint-Bruno*
- Saint-Basile-le-Grand Family Festival*
- Sépaq du Mont Saint-Bruno

Outaouais

- Winterlude Festival (February 1 to 18, 2019)

In addition to the venues and events mentioned above, going to the movies was included since it remains popular among families. About ten new movies for children and families came out during the project period. Among them, **five** possible box-office hits were considered:

- The Grinch, produced by *Illumination & Universal Pictures*
- Ralph Breaks the Internet, produced by *Walt Disney Studios*
- Racetime, produced by *CarpEDIEM Film & TV*
- How to Train Your Dragon: The Hidden World, produced by *DreamWorks Animation*
- Dumbo, produced by *Walt Disney Studios*

During viewing, special attention was paid to the **advertisements and trailers preceding the movie** and to **food product placement in the movies**. The theatre where the movie was screened was also analyzed for advertising directed at children, in particular at the food counter and in the hallways. At least three different movie theatre companies were visited.

Procedure During Visits

The venues and events were analyzed between November 2018 and April 2019. The presence of all advertising directed at children was photographed. Advertisements not meeting all of the criteria for identifying advertising directed at children, but containing a product that may interest them, were also noted.

Key Findings

Observation reports with supporting photographs were prepared for each environment studied:

- Quebec profile of advertising directed at children in the food retail sector
- Quebec profile of advertising directed at children in fast-food and family restaurants
- Quebec profile of advertising directed at children in family venues and events

The following is a brief overview of the key findings.

Grocery Stores and Food Retailers

Although the Quebec legislation is generally effective in protecting children from the advertising targeted at them, the management of this marketing in the points of sale is flawed. For example, the packaging of certain products contains bright colours and imaginary characters that children find interesting. Food products, often of poor nutritional quality are associated with small and big-screen heroes that children love. Furthermore, grocery store and supermarket windows teem with displays that specifically target very young children, which applies considerable buying pressure on parents. All of these practices are variations of advertising directed at children found in the food retail sector.

Over a period of six months, excluding chewing gum, chocolate and candy, as well as fresh fruits and vegetables, and bottled water, the review identified 469 packages of food products targeted at children, including 73 seasonal packaging. It should be noted that the same product was sometimes presented in different packaging depending on the season or common holidays. Sometimes, a single highly exploited strategy, such as using bright colours or evoking magic, is enough to capture a child's interest. Nevertheless, products targeted at children generally involve more than one technique to interest them. The advertising techniques most observed are childish writing, positive images reflecting happiness, food animation and using a character. Images referring to magic, fantasy and adventure were also found on nearly half of the packages counted.

Family Restaurants

Restaurants use several strategies to attract children's attention and create a feeling of belonging and loyalty. Many use a marketing mix. The Weight Coalition has observed that depending on the type of restaurant, the marketing intensity and practices differ from one chain and establishment to another. The advertising strategies used also differ based on the type of restaurant. While promotional collectible toys are included with most kids' meals in fast-food restaurants, family restaurants prefer fun tablecloths or activity books.

Furthermore, we notice more ads on meal and food packaging in fast-food restaurants, as well as more intensive promotions inside the establishment (e.g., toy case, posters). In general, the menu presentation in family restaurants is more fun than in fast-food restaurants.

The placement of food products from specific brands is a recurring practice in several restaurants. Some banners also place their own products on food packaging and on toys. Moreover, several restaurants have created brand characters that engage children and that are found on packages, menus, posters, websites, or even on promotional objects.

Family Venues and Events

Children are exposed during several family events and venues to junk food ads, some of which are explicitly directed at them. Several tactics were observed, such as the use of posted advertisements and sponsorships in areas regularly visited by children.

The Weight Coalition has noticed that movie theatres and amusement parks are places where children are widely exposed to advertising. In fact, they are targeted by the food industry in several ways. On the screen, there may be ads prior to a screening, and posters and advertising displays may be found outside the screening rooms, in the hallways and in the food court. Amusement parks tend to use product placement, logos or brand characters.

Although some ads have been identified, the situation has improved at family events. This is the case in particular during winter festivals following reports by the Weight Coalition.

Conclusion

The advertising of low-nutrition/high-calorie foods and drinks to children contributes to the obesity epidemic. Although children are partially protected in Quebec, the work done by the Weight Coalition reveals that the food industry takes advantage of exceptions in the Quebec legislation to target children.

An IPSOS poll conducted on behalf of the Weight Coalition¹ indicates that a large majority of the Quebec population agrees that Quebec children are over-exposed to advertising, packaging, junk food displays, and that this should be regulated in stores for children under the age of 13:

- 86% agree that the federal government should regulate advertising directed at children under 13, in stores.
- 85% believe that Quebec children are over-exposed to junk food advertising.
- 84% find that there is too much junk food packaging and displays in grocery stores and food retailers.
- 70% have expressed a desire to have access to check-outs without junk food when paying for their purchases.

The Weight Coalition and the population have arrived at the same finding: children are over-exposed to food marketing. Since self-regulation is not sufficient, advertising practices targeting children should be regulated by legislation. Several studies conclude that self-regulation has little impact on reducing exposure of children [to advertising]²⁸ and note that government intervention in food marketing would more likely have the desired results.^{29,30,31,32,33}

¹ Omnibus Web conducted by IPSOS, on behalf of the Weight Coalition, from March 11 to 15, 2019, on 1,296 Francophone and Anglophone respondents aged 18 and over, living in Quebec.

Appendix: Convictions

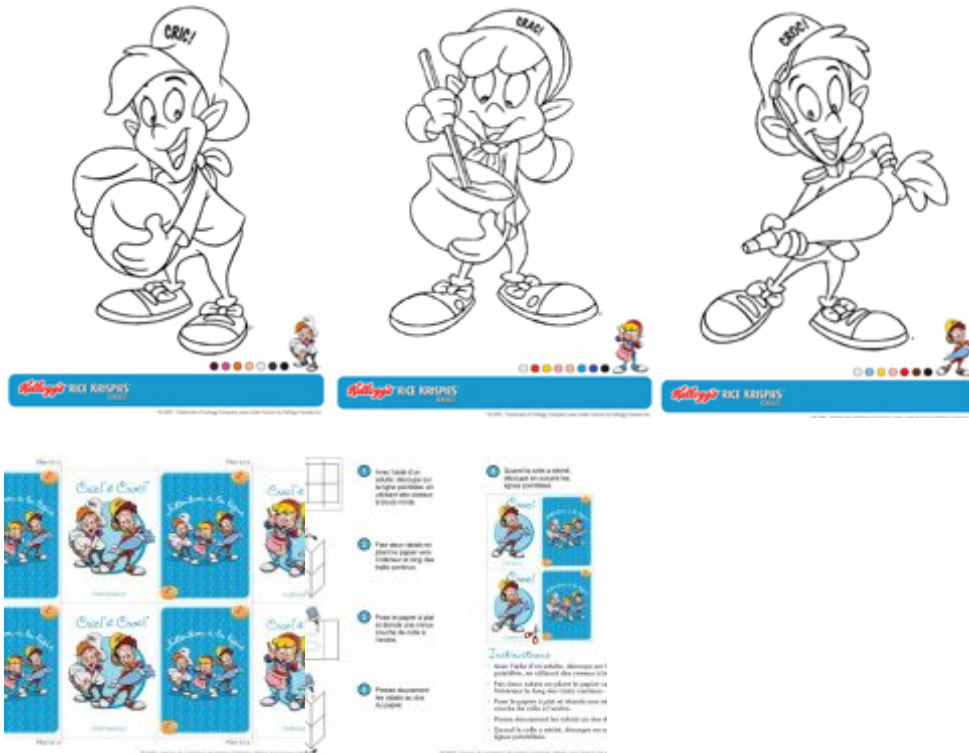
Following the complaints filed by the Weight Coalition, the Office de la protection du consommateur (OPC) brought proceedings against certain companies, which ended with guilty pleas.

Kellogg's (Rice Krispies colouring pages and crafts)

Date: February 25, 2015.

Illegal advertising to children: Rice Krispies colouring pages and crafts at www.ricekrispies.ca. Rice Krispies cereal is a product that sparks children's interest. As can be seen from the following links, the different colouring images on the Rice Krispies site highlight the brand's childish characters, and displays a blue banner below the drawings where the name of the cereal and of the company, Kellogg's, appears. The DIY pack of cards also includes the brand's characters, as well as the cereal's web address. These colouring pages and crafts are accessible under the "Children's Games" tab, which is visible on the site's home page, then by clicking on the "Children's Activities" box. These are two titles that are likely to engage children. Finally, party hats with the Rice Krispies colours and the characters Snap, Crackle and Pop saying "Happy Birthday" can be printed from the "Plan a Party" section under the same "Children's Games" tab. In general, this section is more for parents, but the party hat targets children.

[Colouring Images and Pack of Cards](#) [Party Hat](#)



A website is accessible at all times and the company does not take any action to discourage youths under 13 from accessing its site and sections engaging them.

Impact of this guilty plea : the website was changed.

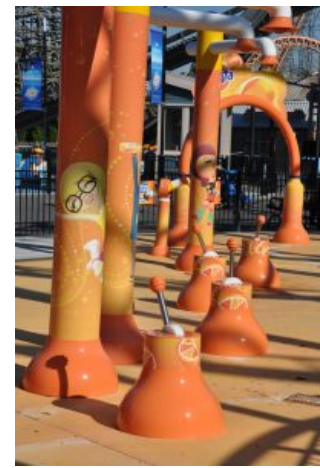
The OPC brought proceedings against Kellogg Canada Inc., which resulted in a guilty plea. The company then paid a fine in the amount of \$9,389.

OPC (2018). *“Commercial advertising directed at children under 13. Kellogg Canada Inc. pleads guilty.”*

Coca-Cola (sponsorship and Fanta product placement in a water games area at La Ronde)

Date: October 2015.

Illegal advertising to children: advertising directed at children under 13, in a water games area, the “Fanta Zone,” located in the La Ronde amusement park, which is visited by many children under 13, and the water park is very popular with younger children. Fanta is a sugary drink that really sparks children’s interest. The brand is represented by several colourful and childish characters in the water park who are having fun and drinking bottles of Fanta (product placement). Furthermore, the characters are placed at a height that is easily visible to children playing in the area and activating the water mechanisms. It is actually indicated at the entrance to the Fanta Zone that diapers are required.



Impact of this guilty plea: The “Fanta Zone” water park was orange, like the Coca-Cola soft drink, and the Fanta logo could be seen on it. The spokesperson for Coca-Cola Canada who cooperated with the OPC explained that the area was originally intended for adults, that the company has long been committed to not promoting its products to children, and that it takes this commitment seriously. The site has since been changed to comply with the legislation.



Coca-Cola Ltd. paid a fine in the amount of \$27,664.

OPC (2015). *Commercial advertising directed at children under 13. Coca-Cola pleads guilty to commercial advertising to children.*

Maple Leaf (television advertising of Top Dogs hot dogs)

Date: June 19, 2012.

Illegal advertising to children: television advertising for the Top Dogs™ hot dogs broadcast on Teletoon, during the show “Hot Wheels : battle force 5.” The Top Dogs™ product by Maple Leaf™ is a food not exclusively intended for children under 13, but which is very attractive to them. At the end of the message, they even say that “children find them delicious.”

Impact of this guilty plea: the Teletoon station is headquartered in Ontario. This is its first guilty plea recognizing that the ban on advertising to children



applies even when the broadcaster is outside Quebec. It also confirms that non-Quebec companies that advertise in Quebec must comply with the legislation in force in the province.

Maple Leaf Foods Inc. was found guilty on five counts and paid a fine of \$10,000.

OPC (2012). *“Commercial advertising directed at children under 13. Maple Leaf Foods Inc. pleads guilty to commercial advertising to children.”*

McDonald's (television advertising on the show Ciné-Cadeau)

Date: July 20, 2009.

Illegal advertising to children: self-promotion sequences during the show Ciné-Cadeau and advertising messages for the product “Chicken McNuggets™.”

Impact of this guilty plea: the popularity of McDonald's and the fact that it pleaded guilty gave this file high visibility even though the summer vacation period was beginning. This specific case drew attention on the importance of the provisions of the Consumer Protection Act, which prohibit advertising to children.

After pleading guilty to the six counts filed by the OPC, the multinational paid a fine of \$12,000.



OPC (2009). *“Commercial advertising directed at children under 13. McDonalds pleads guilty to commercial advertising to children.”*

Burger King (bonus toys)

Date: May 8, 2009.

Illegal advertising to children: advertising messages that accompany the figurines given to children as a gift with the purchase of a meal.

Impact of this guilty plea: first restaurant chain to recognize that it advertised by identifying its image with figurines given to children as a gift with the purchase of a meal.

The company was faced with six counts and was fined \$12,000.

OPC (2009). *“Commercial advertising directed at children under 13. Burger King pleads guilty to commercial advertising to children.”*



General Mills (website of Lucky Charms sweetened cereal)

Date: February 25, 2009.

Illegal advertising to children: invitation on the boxes of Lucky Charms sweetened cereal to visit the brand's website, on which ads, games and animating drawings directed at children could be found.

Impact of this guilty plea: first guilty plea that recognizes that the ban on commercial advertising to children applies to all media, including the Web. The conviction of General Mills appears to have had a deterrent effect, leading other companies to change their online practices in order to comply with sections 248 and 249 of the Act.



General Mills paid a fine of \$2,000.

OPC (2009). *Commercial advertising directed at children under 13. General Mills pleads guilty to commercial advertising to children on the Web.*

Saputo (Igor muffin promotional campaign)

Saputo

Date: January 26, 2009.

Illegal advertising to children: in early 2007, distribution of promotional bags containing items such as CDs, posters, stickers, Igor cakes and discount coupons, to promote Igor muffins in over 230 early childhood centres in Quebec.



Impact of this guilty plea: first guilty plea since the creation in 1978 of the provisions of the Consumer Protection Act prohibiting commercial advertising to children under the age of 13, and confirmation that the scope of the legislation extends to promotional items associated with a brand.

Saputo pleaded guilty to 22 counts and was required to pay a fine of \$44,000.

OPC (2009). *“Commercial advertising directed at children under 13. Igor: Saputo pleads guilty to advertising to children.”*

P2P Promotion Publicité

Date: April 29, 2009.

Illegal advertising to children: organization of the Saputo Igor muffin advertising campaign.

Impact of this guilty plea: first advertising agency to plead guilty with respect to one of its campaigns directed at children under the age of 13. Realization of publicists of their responsibility with respect to children’s health.

The company pleaded guilty to eight counts and paid a fine of \$16,000.

OPC (2009). *“Commercial advertising directed at children under 13. Igor - P2P Promotion Publicité Inc. pleads guilty to commercial advertising to children.”*

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