Nestlé Marketing Communication to Children
Issuing Function
Marketing and Sales, Corporate Communications, Strategic Business Units

Target audience
Legal & Compliance
Marketing and Sales globally
Corporate Communications / Public Affairs globally
Regulatory and Scientific Affairs, NHW Managers, Nutritionists

Approver
Nestlé Executive Board

Date of approval
December 2021

Repository
All Nestlé Principles and Policies, Standards and Guidelines can be found in NestleDocs, on the Nest

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Childhood obesity
According to WHO, UNICEF and the World Bank Group, an estimated 5.6% or 38.3 million children under 5 around the world were overweight in 2020. This figure can even be above 20% in some countries. Childhood obesity is one of the public health priorities worldwide as obesity is associated with a higher chance of premature death and disability in adulthood.

As a result, UNICEF’s state of the world’s children 2019 provides insight on food marketing on children’s diets and joins the call from WHO urging Member States to restrict the marketing of unhealthy food to children, to promote better nutrition, and to contribute to the commitments to end childhood obesity.

Health authorities and governments at Global, Regional and National level are increasingly taking specific initiatives to curb obesity rates amongst children.

Global marketing recommendations
The World Health Organization (WHO) Recommendations on Marketing of Foods and Beverages to Children was approved by Member States in May 2010.

In 2016, the Commission on Ending Childhood Obesity presented its final report to the WHO Director-General and proposed to governments a range of recommendations. One of the key recommendations is to implement the Set of Recommendations on the Marketing of Foods and Non-alcoholic Beverages to Children.

Nestlé and Industry initiatives
Nutrition is at the heart of our business. We advocate for sustainable diets for all, working together with stakeholders, customers and retailers to create a healthier environment for individuals and families.

Nestlé’s updated Policy on Marketing Communication to Children reflects this commitment. Nestlé participates in industry activities aimed at furthering responsible advertising to consumers such as those carried out by International Chamber of Commerce (ICC), the Consumer Goods Forum (CGF) or the International Food and Beverage Alliance (IFBA) which launched in 2021 its new Global Responsible Marketing Policy.

This includes initiatives focusing on the voluntary restriction of advertising to children covering 55 countries. These industry “pledges” are subject to third party compliance monitoring.

Nestlé reports transparently on its commitments on Marketing Communications to Children through the Creating Shared Value and Sustainability Report and publishes reports commissioned to third party audit firms on its website. In addition Nestlé is regularly assessed by independent third parties such as the Access to Nutrition Initiative (ATNI)’s Global Index. Marketing is an important component of the Global Index and Nestlé has been ranked within the top 3 companies for its marketing policies and practices in the last 3 Global index iterations (in 2016, 2018 and 2021).

Nestlé implements globally the below industry commitments
• International Food and Beverages Alliance (IFBA)’s Global Responsible Marketing Policy
• International Chamber of Commerce (ICC)’s framework for responsible food and beverage marketing communications
Our Policy

Nestlé Policy applies to all controlled affiliates of the Nestlé Group. We work with our joint-venture partners to ensure they follow similar principles of this Policy.

Age and product requirements
We do not direct any marketing communication to children 0 to below 6 years of age.

When directing marketing communication to children 6 to below 13 years of age, this can only be permitted with products that achieve the Nestlé Policy Nutrition Criteria (see "definitions").

We do not direct any marketing communication to children below 13 years of age, irrespective of the Nestlé Marketing Communication to Children Policy Nutrition Criteria being met, for the following categories:
- sweet and savory biscuits,
- sugar confectionery,
- chocolate confectionery,
- water-based beverage products with added sugars,
- ice-cream products.

Consistent with this, extension of any biscuit, sugar or chocolate confectionery, water-based beverage products with added sugars and ice-cream brands to other product categories falls under the same rule.

Scope and Communication Measurement
The Nestlé Marketing Communication to Children Policy applies to paid and unpaid marketing communication developed directly by or on behalf of Nestlé, with the intention of promoting our products directly to children below 13 years of age.

It specifically includes marketing communication using television, radio, print, cinema, outdoor/places where children gather, digital media including social media and video sharing platforms (digisphere), influencers, native online marketing, mobile, games, consumer relationship marketing, viral marketing, apps, e-mail/SMS, Nestlé owned websites, movie tie-ins, promotions, premiums, contests, product sponsorships, sampling, and point of sale.

Marketing communication will be deemed directed to children below 13 years of age if 25% or more of the media channel’s audience is of that age group.

In addition, in developing any marketing communication in compliance with the above age requirements, we will take into account:
1. channels of placement,
2. content and
3. overall impression of the marketing communication.

Characters, Celebrity Endorsement and Premiums
Licensed characters, endorsements of celebrities and premiums primarily appealing to children 6 to below 13 years of age, can only be used for marketing communication of products that meet the Nestlé Marketing Communication to Children Policy Nutrition Criteria. They cannot be used for sweet and savory biscuits, sugar confectionery, chocolate confectionery, water-based beverage products with added sugars and ice cream products.

Owned or licensed characters, celebrity endorsement, and premiums primarily appealing to children 6 to below 13 years of age (e.g. toys, games or books) must be used to promote healthy and active lifestyles, and in compliance with the Nestlé’s Consumer Communication Principles. This includes healthy eating, active play and encouragement of physical activity, and support of educational development.

On-pack communication
The role of packaging is to inform consumers at point of sale about the product composition, role in a balanced diet and portion guidance.

To ensure we support parents’ choice, restrictions placed on licensed characters, celebrity endorsement and premiums primarily appealing to children 6 to 13 apply to packaging. We will however continue to link our products to seasonal themes, which are relevant to children in a gifting or celebration context by adults (e.g. Easter, Christmas, Chinese New Year, etc and duty free). This exception is limited to the packaging/product itself.

Characters that are intellectual property of the Nestlé Group are excluded from the scope of the restrictions.

Any products can have on-pack or in-pack premiums that are oriented to gatekeepers who make household purchasing decisions.

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1 In the United States, where audience data for the under 13 age group is not generally available, Nestlé will keep applying advertisement restrictions when 25% or more of the media channel audience is composed of children aged under 12. This approach is aligned with the IFBA Global Responsible Marketing policy.
Marketing Communication and Sales in Primary and Secondary Schools
We do not direct marketing communications to children in early childhood education centers, children’s care service centers, primary schools and secondary schools.

We can participate in health and wellness educational programmes provided that they are specifically requested by, or agreed with, the school administration and endorsed by relevant national authorities. We will only participate in such activities with products that meet the Nestlé Policy Nutrition Criteria.

Products sold to primary schools under Nestlé’s direct control and supervision must achieve the Nestlé Marketing Communication to Children Policy Nutrition Criteria, and the sale must have the consent in writing of the school administration.

Nestlé’s vending equipment in primary schools under Nestlé’s direct control and supervision must contain only products that meet the Nestlé Marketing Communication to Children Policy Nutrition Criteria.

Compliance with National laws and regulation
We are committed to complying with all applicable laws governing marketing communication to children and related data collection. If applicable laws set stricter requirements than this Policy, they must be followed.

This Marketing to Children Policy is to be read in conjunction with the below documents:
- The Nestlé Corporate Business Principles
- The Nestlé Consumer Communication Principles
- Nestlé Policy implementing the WHO Code
- The Nestlé Privacy Policy

Definitions

Marketing Communication directed to Children
Refers to paid and unpaid marketing communication developed directly by, or on behalf of, Nestlé with the intention of promoting our products directly to children 6 to below 13 years of age. It specifically includes marketing communication using television, radio, print, cinema, outdoor/ places where children gather, digital media including social media and video sharing platforms (digisphere), influencers, native online marketing, mobile, games, consumer relationship marketing, viral marketing, apps, e-mail/SMS, Nestlé-owned websites, movie tie-ins, promotions, premiums, contests, product sponsorships, sampling and point of sale.

EU Pledge Nutrition Criteria
For Brands permitted to communicate to children, EU Pledge Criteria must be met.
- Common criteria have been established for all EU Pledge industry members by category. For the majority of categories, a product must meet thresholds for:
  a. nutrients to limit (e.g., total sugars, sodium, saturated fats and energy); and
  b. high value food groups/ingredients (e.g., fruit, vegetable and whole grain) or an essential nutrient (e.g., calcium and polyunsaturated fatty acids).

Nestlé Marketing Communication to Children Policy Nutrition Criteria
Refers to the EU Pledge Nutrition Criteria, other regionally or nationally agreed pledges or the Nestlé Nutrient Profiling System, whichever is stricter.
Compliance and monitoring

This Policy should be read in conjunction with detailed Implementation Guidelines and guidance on roles and responsibilities at local and global level, which have been developed to ensure consistent and effective implementation.

Based on internal auditing as well as external monitoring surveys, a Global Compliance Report continues to be produced on a yearly basis by a Committee with representatives of Public Affairs, Marketing & Consumer Communication and Legal & Compliance.

The Marketing Communication to Children Compliance Rate will be published in the Nestlé Creating Shared Value and Sustainability Report.

Compliance with Industry Pledges (e.g. IFBA, EU Pledge) will continue to be monitored by a third party. In addition, Nestlé will keep commissioning third-party auditors to review the adherence to this policy in markets. The reports will be published on Nestle.com.

Marketers are required to be trained on the Marketing Communication to Children Policy as part of their onboarding and take regular refresher trainings.