

# AANA



AANA Industry practice note  
From 1 June 2019

# WHAT BE UPFRONT

Food and beverage advertising must comply with a range of different requirements, depending on what is being advertised, and to whom. The requirements include:

- AANA Food & Beverages Advertising Code (F&B Code)
- AANA Children's Advertising Code (Children's Code)
- AFGC Responsible Children's Marketing Initiative (RCMI)
- AFGC Quick Service Restaurant Initiative (QSRI)

All advertising must also comply with the AANA Code of Ethics.

Advertising alcoholic beverages is covered by the Alcohol Beverages Advertising Code. See [www.abac.org.au](http://www.abac.org.au) for more details.

This Industry Practice Note is designed for marketers, their agencies and the community, to help them understand what steps should be taken to ensure their food and beverage advertising complies with the AANA codes.

*TIP: If you do not advertise to children, then you only need to comply with the F&B Code and the Code of Ethics. The additional requirements in the Children's Code, RCMI/QSRI will not apply.*

# BUILD TRUST WHY

The AANA codes are platform and media neutral and apply to all advertisers and marketers who promote food or beverage brands or products to Australian audiences.

The RCMI and QSRI are specific food and beverage industry requirements that apply when advertising to children.

Making sure advertising meets the applicable requirements is key to establishing consumer trust. When it comes to advertising to children, there are higher thresholds for responsible advertising. Complaints about any advertising can be made to Ad Standards. Ads that are found in breach of the requirements cannot be used again. This can be costly! All determinations are published which may also cause damage to your business's reputation if you are found in breach.

# WHO RESPONSIBLE BRANDS

The onus on complying with the food and beverage advertising requirements is on advertisers. However agencies, influencers, public relations teams and platforms should all be mindful of the responsibility to ensure advertising is compliant and play a role in ensuring that outcome.

# CONSIDER THESE FACTORS WHEN

## 1. ARE YOU ADVERTISING OR PROMOTING FOOD OR BEVERAGES?

The requirements apply to food and non-alcoholic beverages. Alcohol advertising is covered by ABAC.  
TIP: If you are advertising any form of food or beverages, the AANA F&B Code will apply.

## 2. ARE YOU TARGETING CHILDREN?

Consider these factors:

- Are you primarily targeting children or is your ad directed to the grocery buyer?
- The language and images used in your material – is it childlike or would it appeal mainly to children? Is the storyline from the child's perspective?
- What are the ages of the actors or characters?
- Who is the call to action addressed to?
- Will children make up at least 35% of the audience?
- Children's television viewing times
- Location and placement of advertising or marketing.

TIP: If you are advertising food or beverages and you are targeting children, the AANA F&B Code and the AANA Children's Code will apply. Either the RCMI or the QSRI will also apply.

## 3. DOES THE RCMI OR THE QSRI APPLY?

If you are advertising a quick service restaurant, the QSRI will apply. A quick service restaurant means a quick service food outlet whose business primarily offers for sale portable and/or ready-made food or beverage products, excluding supermarkets and convenience stores.

If you are advertising any other food or beverage products to children, the RCMI will apply.

TIP: If you are advertising food or beverages and you are targeting children, either the QSRI or the RCMI will apply. You will need to assess your business and products and adopt one set of requirements.

## 4. CONSIDER ALL THE MEDIA AND PLACEMENTS WHICH ARE COVERED BY THE RCMI AND THE QSRI

The RCMI and QSRI contain individual definitions of "medium". If you are advertising in a medium that is listed, then you will need to comply with the requirements. They will also apply if you are advertising in an interactive game or using product placement as a way to advertise.

## 5. ARE YOU ADVERTISING IN SCHOOLS?

A requirement of the RCMI and the QSRI is that you must not advertise in Australian primary schools, pre-schools and day care centres, except where you have an agreement with the school administration under the supervision of the school administration or appropriate adults.

# HOW

## MAKING ADVERTISING COMPLIANT

### 1 STEP 1: IF YOU ARE ADVERTISING ANY FORM OF FOOD OR BEVERAGES, THE AANA F&B CODE WILL APPLY

Read the requirements of the F&B Code. For example, you must not:

- make misleading statements
- undermine healthy or active lifestyles
- encourage excess consumption.

TIP: The AANA Code of Ethics will also apply. If you are unsure of how to meet all the requirements for advertising to children, you should make sure your ad is not targeted to them.

### 2 STEP 2: IF YOU ARE ADVERTISING FOOD OR BEVERAGES AND YOU ARE TARGETING CHILDREN THE AANA F&B CODE AND THE AANA CHILDREN'S CODE WILL APPLY

Read the requirements relating to advertising to children in the F&B Code as well as the Children's Code: For example, you must not:

- undermine parents or carers
- encourage 'pester power'
- try to convince children they will be better off with your product
- encourage unhealthy or inactive lifestyles

### 3 STEP 3: ASSESS WHETHER THE RCMI OR THE QSRI WILL ALSO APPLY TO YOUR ADVERTISING

If you are advertising a quick service restaurant, the QSRI will apply. If you are advertising any other food or beverage products to children, the RCMI will apply.

The RCMI/QSRI apply to advertising to directed primarily to children (check the definitions in the RCMI or QSRI). Advertising is directed primarily to children where:

- the content is aimed at children, considering the themes, visuals or language used;
- the advertising is placed in a medium (check the definitions in the RCMI or QSRI) that is directed primarily to children (including all C and P rated programs); or
- where children represent 35 per cent of more of the audience.

TIP: The key requirements for the RCMI/QSRI are that material directed primarily to children must only advertise healthier choices to children and encourage a healthy lifestyle through messaging that encourages good dietary habits good diet and physical activity.

## 4

## STEP 4: ASSESS WHETHER YOU PROMOTE HEALTHIER CHOICES

The QSRI defines a nutrition criteria for you to determine healthier choices. Read the QSRI to ensure you comply.

The RCMI allows businesses to develop their own action plans to determine healthier choices. Company action plans must detail the nutrition criteria used to determine healthier dietary choices when they advertise directly to children. If you do not have a company action plan, you should develop or adopt a nutrition criteria against which to determine healthier dietary choices, before commencing any advertising or marketing directed primarily to children.

In Australia, there is no one nutrition criteria that has been developed specifically to assess whether a product is a healthier dietary choice for the purposes of advertising or marketing communications to children. While the AANA does not endorse any particular nutrition criteria, you may choose to look at the following for further information and guidance, which have been developed both locally and in other countries for the purpose of assessing the 'healthiness' of their products under the RCMI:

Developed in Australia:

- The Food Standard Australia New Zealand's Nutrient Profiling Scoring Calculator
- School Canteen Association Guidelines e.g. NSW Healthy School
- Australian Dietary Guidelines
- Health Star Rating System

Developed Internationally (for the purposes of marketing to children):

- EU Pledge
- Singapore Common Nutrition Criteria

## 5

## STEP 5: ENSURE ADVERTISING ENCOURAGES A HEALTHY LIFESTYLE

To meet the requirements of the RCMI/QSRI, advertising or marketing directed primarily to children must:

- promote the healthier choice product in the context of a healthy lifestyle; and
- be designed to appeal to children through messaging that encourages:
  - good dietary habits; and
  - physical activity.

TIP: Good dietary habits and physical activity are separate criteria, your advertising should encourage both.

### About the AANA

AANA is the Voice for Brands. Founded 90 years ago, AANA exists to inspire and promote responsible, innovative and respected marketing through a commitment to sustainable industry collaboration. As the peak industry body, our members represent some of Australia's biggest advertisers and the world's best known brands across all major sectors who contribute to an estimated advertising spend of more than \$15 billion a year including FMCG, automotive, banking, finance and insurance, travel, health and beauty, media and communications. On behalf of our members, the AANA's mandate is to maintain and evolve the advertising codes which underpin the system of self-regulation in Australia, safeguard the rights of its members to commercial free speech and protect consumers by ensuring marketing communication is conducted responsibly, while giving them the networks and pathways to career learning.