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## Original Research

# Evaluation of compliance with the Spanish Code of self-regulation of food and drinks advertising directed at children under the age of 12 years in Spain, 2012



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## ARTICLE INFO

## Article history:

Received 24 February 2017

Received in revised form

5 May 2017

Accepted 22 May 2017

Available online 1 July 2017

## Keywords:

Food advertising

Marketing

Childhood obesity

Children

## ABSTRACT

**Objective:** To evaluate compliance levels with the Spanish Code of self-regulation of food and drinks advertising directed at children under the age of 12 years (Publicidad, Actividad, Obesidad, Salud [PAOS] Code) in 2012; and compare these against the figures for 2008.

**Study design:** Cross-sectional study.

**Methods:** Television advertisements of food and drinks (AFD) were recorded over 7 days in 2012 (8am–midnight) of five Spanish channels popular to children. AFD were classified as core (nutrient-rich/low-calorie products), non-core (nutrient-poor/rich-calorie products) or miscellaneous. Compliance with each standard of the PAOS Code was evaluated. AFD were deemed to be fully compliant when it met all the standards.

**Results:** Two thousand five hundred and eighty-two AFDs came within the purview of the PAOS Code. Some of the standards that registered the highest levels of non-compliance were those regulating the suitability of the information presented (79.4%) and those prohibiting the use of characters popular with children (25%). Overall non-compliance with the Code was greater in 2012 than in 2008 (88.3% vs 49.3%). Non-compliance was highest for advertisements screened on children's/youth channels (92.3% vs. 81.5%;  $P < 0.001$ ) and for those aired outside the enhanced protection time slot (89.3% vs. 86%;  $P = 0.015$ ).

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<http://dx.doi.org/10.1016/j.puhe.2017.05.013>

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*Conclusions:* Non-compliance with the PAOS Code is higher than for 2008. Given the lack of effectiveness of self-regulation, a statutory system should be adopted to ban AFD directed at minors, or at least restrict it to healthy products.

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## Introduction

Childhood obesity is one of the major public health problems and concerns of this century. In developed countries, one in every four children suffers from overweight.<sup>1</sup> In Spain, this figure rises to one-third of all children, ranking it among the highest in Europe.<sup>1–3</sup> Overweight children have a higher likelihood of suffering from obesity in adult age,<sup>4</sup> which in turn increases the risk of developing chronic diseases and can reduce life expectancy by as much as eight years.<sup>5,6</sup> Intervening in the appearance of obesity are genetic, familial, psychological and environmental factors of a complex multi-factorial aetiology, which affect diet, physical activity or both.

Overweight and obesity are in great measure preventable. A first step is to guarantee children's right of access to nutritionally appropriate, safe and nourishing foods.<sup>7</sup> In this respect, the factors that influence the choice of foods in childhood are crucial, since food preferences are established in the early years of life.<sup>8</sup> Food and drink advertising concentrated on products which are high in fat, sugar and/or salt (HFSS) and calories directly affects these preferences and the consumption patterns of children<sup>8–11</sup> and is estimated to be responsible for 16%–40% of all childhood obesity.<sup>12–14</sup> The main medium of exposure to advertising is television;<sup>14</sup> in Spain, children aged 4–12 years watch a mean of 22 food and drink advertisements per day, which represented 25%–33% of all advertising on children's programmes in the period 2010–2012.<sup>15,16</sup>

Restricting food advertising directed at children is one of the most cost-effective public health interventions.<sup>17</sup> Self-regulation of food and drink advertising is the leading intervention strategy in this field, world-wide.<sup>8</sup> Spain was one of the first countries to introduce self-regulation in the world, and one of the few (along with the United States, Australia, Canada, Germany and United Kingdom) that has published an independent scientific evaluation of the effectiveness of industry-led self-regulation.<sup>8,18</sup>

In 2005, the Ministry of Health, along with the Spanish Federation of Food & Drink Industries and the association of the leading advertising agencies, news and advertising media tasked with managing the Spain's self-regulatory commercial communication system (AUTOCONTROL), approved the code of self-regulation of food advertising directed at children under the age of 12 years, prevention of obesity and health (Publicidad, Actividad, Obesidad, Salud [PAOS] Code for its acronym in Spanish). The PAOS Code, which is voluntary in nature and applies to food advertising messages disseminated via audiovisual and printed media, contains 25 ethical standards that regulate the marketing techniques used, but standards regulating the nutritional composition of the products

advertised (nutritional standards) are lacking.<sup>19</sup> In 2009, public and private television channels subscribed to the PAOS Code. In 2012, the PAOS Code was renewed to include, among other things, internet advertising directed at children and teenagers under the age of 15 years.<sup>20</sup>

The main aim of this study is to evaluate the compliance of television food advertising with the PAOS Code in 2012. In addition, it also sought to compare the results against those of a previous evaluation made in 2008, so as to ascertain to what extent the effectiveness of self-regulation might have changed over time.

## Methods

### Study design and sample

We conducted a cross-sectional study on television advertisements of food and drinks (AFD) directed at children in Spain. The sample was obtained by recording 7 days broadcasting (Monday to Sunday) by nation-wide specialist channels targeted at a child-youth population (Boing, Disney Channel and Neox) and two generalist channels with the highest child-audience ratings (Antena 3 and Telecinco).<sup>21</sup> The broadcasts were recorded from January to April 2012, excluding vacation periods, during the 8 am to 12 midnight time slot. The 2010 Audiovisual Communication Act establishes a protected time slot for children and teenagers below 18 years of age (from 6 am to 10 pm), and an enhanced protected time slot for children below 13 years of age (from 8 am to 9 am and from 5 pm to 8 pm on weekdays, and from 9 am to 12 noon on weekends and public holidays).<sup>22</sup> The 6 am–8 am time slot was not included in the study owing to the absence of a child audience, whereas the 10 pm to 12 midnight time slot was included because it corresponds to the last daily child-audience viewing peak in Spain.<sup>23</sup>

### Definition of advertisements targeting children

The PAOS Code only regulates food advertising directed at children under the age of 12 years. A food or beverage advertisement is considered to be within its purview at children when it meets any of the following criteria:<sup>19</sup>

- for the type of food product promoted: advertisements that objectively promote a food product (measured by Dym Panel, a market research company, or by Homescan, a consumer panel set up by Nielsen) aimed primarily at children under the age of 12 years;
- for the design of the advertising message: advertising designed in such a way that the content, language and/or

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