



The Children's Food and Beverage Advertising Initiative
The Children's Confection Advertising Initiative

2024 Annual Report

**A REPORT ON
COMPLIANCE
AND PROGRESS
DURING 2024**

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Executive Summary

BBB National Programs' Children's Food and Beverage Advertising Initiative (CFBAI) and Children's Confection Advertising Initiative (CCAI) 2024 Annual Report provides information about CFBAI and CCAI program developments and participants' compliance with their respective program commitments in 2024. The report also describes trends and changes observed by CFBAI in the children's food and beverage advertising landscape.¹

Companies participating in CFBAI and CCAI voluntarily pledge to abide by each program's Core Principles, which set standards for food and beverage advertising directed to children. All companies participating in CFBAI commit either not to advertise any foods or beverages in media primarily directed to children under age 13 or to advertise in such media only foods and beverages that meet the program's nutrition criteria. CFBAI participants also commit not to engage in child-directed food advertising in elementary and middle schools or in media primarily directed to children under age 6, among other requirements. CCAI participants commit not to direct any confectionary advertising to children under age 13 and not to advertise in elementary and middle schools.

BBB National Programs, as the program administrator of CFBAI and CCAI, monitors and reports on participants' compliance with their respective pledge commitments. This Annual Report regarding compliance and developments in 2024 is CFBAI's 18th Annual Report.

Year in Review

Participation and Program Growth

CFBAI participation has more than doubled since its inception in 2007. In 2024, 21 leading food, beverage, and quick-serve restaurant companies participated in CFBAI. These companies collectively account for most food and beverage advertising in the United States and have historically accounted for most food and beverage advertising directed to children.

There were several changes in CFBAI participation in 2024. Ferrara Candy Company, which owns brands like Sweet Tarts, Laffy Taffy, Trolli, and Nerds, joined CFBAI in late 2023, making 2024 Ferrara's first full year of CFBAI participation. Ferrara had previously participated in CCAI. Kellanova also joined CFBAI following the split of Kellogg Company into Kellanova and WK Kellogg's in late 2023. American Licorice Company, which had been a CFBAI participant for several years, was not a participant in 2024.

Six confectionary companies participated in CCAI in 2024, the same number of participants as in 2023. CCAI is an advertising self-regulation program for smaller and medium-sized confectionary companies. The largest confectionary companies currently participate in CFBAI.

¹ Prior annual reports for CFBAI and CCAI and other program materials are available on the CFBAI webpage of the BBB National Programs website at bbbprograms.org/programs/children/cfbai and at bbbprograms.org/programs/children/ccai.

Program Developments

CFBAI and CCAI continued to evolve in 2024, with several program modifications, including an expansion of participants' commitment not to advertise in schools. Program developments in 2024 included:

- ♦ **Expansion of School Commitment.** CFBAI and CCAI participants agreed to expand the scope of their commitment not to advertise branded foods or beverages to children in elementary schools to include middle schools. The expanded commitment went into effect for the 2024-2025 school year.
- ♦ **Updates to Uniform Nutrition Criteria.** CFBAI participants agreed to revise the program's Uniform Nutrition Criteria to lower the sodium limit in the Cereals category and the added sugar limit in the Mixed Dishes and Small Meals categories. The tighter limits went into effect on January 1, 2025.
- ♦ **New Product List Approach.** In 2024, CFBAI changed its Product List approach to identify foods and beverages meeting CFBAI's Uniform Nutrition Criteria that participants are advertising in child-directed media or plan to advertise in child-directed media within the next six months. Previously, the Product List included foods and beverages meeting CFBAI's Uniform Nutrition Criteria that were not being advertised to children.

Program Impact

CFBAI participants include the largest food and beverage advertisers in the United States. Consequently, the advertising commitments made by these companies through their participation in CFBAI have had a significant and observable impact on the children's food and beverage advertising landscape. As participation in CFBAI has grown, so has the program's impact. The nature of that impact has taken several forms, which continued in 2024:

- ♦ **Less Child-Directed Advertising.** In 2011, over 75% of the companies participating in CFBAI advertised foods or beverages in media primarily directed to children. By comparison, in 2024 less than 25% of CFBAI participants engaged in any child-directing food or beverage advertising. This stark decline in the number of CFBAI participants directing any food or beverage advertising to children is reflected in CFBAI's 2024 Snapshot of Foods Advertised on Children's TV, which found a substantial reduction in both the number of advertisements from CFBAI participants on children's TV programming and the amount of food and beverage ads overall. This reduction in child-directed advertising by CFBAI participants has contributed to less exposure of children to food advertising in popular child-directed media, including a dramatic reduction in exposure to food and beverage ads on children's TV programming.
- ♦ **Fewer Products Advertised to Children.** Consistent with the decline in the number of CFBAI participants engaging in child-directed advertising, fewer products from fewer product categories appeared in child-directed media in 2024 compared to prior years. All food or beverage advertising directed to children by CFBAI participants remained subject to CFBAI's Uniform Nutrition Criteria, which established nutrition standards for foods advertised to children where none had existed before.

- ♦ **Ongoing External Influence.** CFBAI's impact on the children's food advertising landscape comes not just from its participants' pledge commitments but also from CFBAI's influence on the actions by other industry stakeholders to improve food and beverage advertising to children. For example, SuperAwesome, a leading creator and publisher of child-directed digital content in the United States, has had a policy since 2021 of accepting food and beverage advertising only for foods and beverages meeting CFBAI's Uniform Nutrition Criteria. This policy has applied even to the food and beverage advertising of companies that are not CFBAI participants. Other industry stakeholders, including many other popular digital media publishers, have taken similar voluntary actions that complement CFBAI's efforts to improve child-directed food and beverage advertising.

Excellent Compliance

Companies participating in CFBAI and CCAI agree to be held publicly accountable for compliance with their pledge commitments through independent monitoring and reporting by the program administrator, BBB National Programs. BBB National Programs assesses food and beverage advertising on children's television networks and in digital media, reviews Nielsen data on CFBAI participants' television advertising, and requires participants to submit annual reports regarding their child-directed advertising and compliance with program commitments.

BBB National Programs found excellent compliance by CFBAI and CCAI participants with their pledge commitments in 2024, which is consistent with compliance findings since CFBAI began publishing annual reports in 2007.

In 2024, 99.4% of CFBAI participants' TV advertising spots were either for foods that met CFBAI's Uniform Nutrition Criteria or appeared on programming for which children under age 13 were less than 30% of the measured audience, per Nielsen data. BBB National Programs' monitoring of child-directed digital media likewise found participant compliance to be excellent. BBB National Programs did not receive any complaints or reports regarding CFBAI or CCAI participant non-compliance in 2024.

Outreach

To increase the positive impact and influence of CFBAI's and CCAI's voluntary advertising self-regulation, CFBAI regularly engages in outreach to non-participating companies and other industry stakeholders to encourage their participation and to promote industry self-regulation of child-directed food advertising. CFBAI engaged in outreach in a variety of settings in 2024, including through presentations at industry conferences, briefings with trade associations, and meetings with food advertisers and other industry groups. In recent years, CFBAI has also discussed the program in academic settings and with advocacy organizations and government agencies. The feedback received from these parties has influenced CFBAI program requirements.

Beyond 2024

CFBAI is proud of the positive impact its participants' commitments have had on the children's food and beverage advertising landscape. Continuous incremental improvement is a hallmark of CFBAI, as evidenced by program updates in 2024 that included an expansion of the Core Principles commitment prohibiting child-directed food advertising in schools. Outreach efforts will continue to encourage additional companies to join CFBAI and CCAI, particularly confectionary companies and restaurants that represented most non-participant food advertising on children's TV programming in 2024.

As children continue to migrate from television to digital media, CFBAI will focus on food and beverage advertising directed to children in the evolving digital media environment. The digital environment presents new challenges but also new possibilities. New forms of digital technology, including generative artificial intelligence (AI) chatbots and AI features on websites, games, and apps, provide new means by which advertisers may advertise foods and beverages to children. At the same time, the digital environment offers tools and controls to limit children's exposure to food and beverage advertising intended for older audiences. CFBAI participants are using these tools today.

CFBAI's self-regulatory model provides the flexibility and adaptability needed to quickly respond to changes in child-directed food advertising. CFBAI will continue to evaluate program enhancements and procedures to ensure the program appropriately addresses new forms of digital advertising and effectively monitors participant compliance with their pledge commitments.

I. Introduction and Report Overview

This Report addresses the ongoing work and impact of CFBAI and CCAI, including an assessment of participants’ compliance with program requirements and an overview of program developments and trends in children’s food and beverage advertising in 2024.

Table 1. CFBAI Participant Compliance Assessment List for 2024		
Burger King Corporation	General Mills, Inc.	Mars, Incorporated
The Campbell’s Company	The Hershey Company	McDonald’s USA, LLC
The Coca-Cola Company	Hostess Brands	Mondelēz Global, LLC
Conagra Brands, Inc.	Kellanova	Nestlé USA
Danone North America, PBC	Keurig Dr Pepper	PepsiCo, Inc.
Ferrara Candy Company	The Kraft Heinz Company	Post Foods, LLC
Ferrero USA, Inc.	Lindt & Sprüngli	Unilever USA

Table 2. CCAI Participant Compliance Assessment List for 2024		
Brown & Haley	Impact Confections	PIM Brands
Jelly Belly Candy Company	Just Born Quality Confections	R.M. Palmer Company

- The Report consists of the following sections:
- ♦ Part II provides information and recent developments regarding CFBAI and its impact on the advertising landscape.
 - ♦ Part III describes 2024 CFBAI program developments, including the expansion of CFBAI participants’ commitment not to advertise to children in elementary schools and the results of CFBAI’s 2024 Snapshot of Foods Advertised on Children’s Television.
 - ♦ Part IV discusses pledge compliance monitoring for 2024, including an assessment of compliance on children’s TV programming based on Nielsen data.
 - ♦ Part V describes the Children’s Confection Advertising Initiative (CCAI), 2024 program developments, and participant compliance.
 - ♦ Part VI is the Report Conclusion.

II. About CFBAI and Food Advertising to Children

BBB National Programs' Children's Food and Beverage Advertising Initiative (CFBAI) is a voluntary advertising self-regulation program launched in 2007 to improve the landscape of child-directed food and beverage advertising. Each company participating in CFBAI publicly pledges to abide by CFBAI's Core Principles, which require that CFBAI participants either not advertise any foods or beverages in media primarily directed to children under age 13 or advertise in such media only foods and beverages that meet the program's nutrition criteria. This commitment applies to child-directed advertising in both digital media (e.g., websites, mobile apps, interactive games, streaming platforms, etc.) and traditional media (e.g., television, print, and radio) and marketing techniques therein, including product placement and paid influencer communications. Pursuant to the Core Principles, CFBAI participants also commit not to engage in child-directed advertising of branded foods or beverages in elementary or middle schools or in media primarily directed to children under age 6, among other requirements. The Core Principles and each CFBAI participant's pledge is publicly posted on CFBAI's website.²

A. Background

In 2006, the Institute of Medicine (IOM) recommended that all sectors of the food advertising environment take action to help address childhood obesity. IOM urged food companies to strengthen self-regulation and change the mix of products in child-directed advertising to feature foods with fewer calories and less sodium, fats, and added sugars and more positive nutrients.³ In response, CFBAI was created by BBB National Programs' predecessor organization, the Council of Better Business Bureaus, and ten leading food and beverage and quick-serve restaurant companies.

Since its launch in 2007, CFBAI and its participants have worked to improve the children's food and beverage advertising landscape through rigorous and transparent self-regulation. Each company in CFBAI signs a contract agreeing to be held publicly accountable for compliance with their CFBAI pledge commitment by the program administrator, BBB National Programs. BBB National Programs monitors participant compliance with the Core Principles, requires participants to submit a report each year about their child-directed advertising, and publicly reports on participants' compliance in an annual report.

Annual compliance reports, the list of participating companies, each company's CFBAI pledge commitment, the Core Principles, the program's nutrition criteria, and the foods and beverages advertised by participants in child-directed media are all made publicly available on CFBAI's website.⁴ In addition, CFBAI regularly presents at conferences and meetings on food and beverage advertising directed to children and has participated in

² See <https://bbbprograms.org/programs/children/cfbai/pledge>. Several CFBAI participants have made pledge commitments that exceed CFBAI's Core Principles requirements. The Core Principles are included herein as Appendix A.

³ See, e.g., Inst. of Med., "Food Marketing to Children and Youth: Threat or Opportunity?" (Nat'l Acads. Press 2006).

⁴ See <https://bbbprograms.org/programs/children/cfbai>. The website also includes program contact information, press releases, an FAQ section, and other information about CFBAI. The CFBAI Core Principles and Uniform Nutrition Criteria are also respectively included herein as Appendix A and Appendix B.

public proceedings of domestic and international governmental bodies and NGOs on matters relevant to CFBAI’s program and expertise.

CFBAI complements the work of another BBB National Programs’ children’s advertising program, the Children’s Advertising Review Unit (CARU). CARU’s Self-Regulatory Guidelines for Children’s Advertising set strong industry standards intended to prevent advertising for products directed to children from being deceptive, unfair, or inappropriate.⁵ The CARU Guidelines apply to all companies engaged in child-directed advertising, regardless of the products advertised. Both CFBAI and CARU monitor children’s media, enforce the standards of the respective programs, and can refer non-complying companies to regulatory authorities like the Federal Trade Commission (FTC).

Like the CARU Guidelines, CFBAI’s Core Principles apply to advertising primarily directed to children under age 13, an age demographic that the advertising industry has long acknowledged as meriting special protection. CFBAI is not intended to address children’s exposure to food and beverage advertising that is primarily directed to older viewers, such as advertising on primetime shows or sporting events where adults are the predominant audience.

B. CFBAI’s Impact on Child-Directed Food Advertising

CFBAI participants include the largest food and beverage advertisers in the United States that historically have accounted for most child-directed food advertising.⁶ Accordingly, the advertising commitments made by these companies through their voluntary participation in CFBAI have significantly impacted the children’s food and beverage advertising landscape.

CFBAI established nutrition criteria for child-directed advertising where none had existed before. Before CFBAI, there were no nutrition standards for foods and beverages advertised to children and no independent oversight of the foods and beverages advertised to this age group. Under CFBAI’s Core Principles, participants commit either not to direct any food and beverage advertising to children or, if they direct advertising to children, to advertise only foods that meet CFBAI’s Uniform Nutrition Criteria, which set limits for calories, saturated fat, sodium, and added sugars in advertised foods and require such foods to provide positive nutrients. Over the years, CFBAI’s nutrition criteria have changed the foods and beverages advertised to children by CFBAI participants and encouraged participating companies to reformulate many foods to improve nutritional profiles. For example, due to CFBAI’s nutrition criteria, kids’ meals advertised to children by CFBAI participants depict low-fat milk or fruit juice rather than soda.

In recent years, CFBAI has been increasingly impacting the children’s food and beverage advertising environment in another way. Most CFBAI participants no longer advertise any foods or beverages in media primarily directed to children under age 13. In 2024, more than 75% of CFBAI’s participating companies did not direct any food or beverage advertising to children. By comparison, in 2011 the percentage of CFBAI participants not directing any food or beverage advertising to children was only slightly more than 20%. Moreover, CFBAI participants that continue to advertise to children are advertising fewer foods compared to prior years. These foods continue to be required to meet CFBAI’s nutrition criteria. Because CFBAI’s participants are among the largest food and beverage advertisers in the United States, the decision of most of these companies to no longer engage in child-directed

5 See <https://bbbprograms.org/programs/children/caru>. CARU also administers Privacy Guidelines that address the protection of children’s privacy in online environments.

6 CFBAI and others have regularly found that most food and beverage advertising on children’s television programming has come from CFBAI participants. See, e.g., Melissa L. Jensen et al., “Are U.S. Food and Beverage Companies Now Advertising Healthy Products to Children on Television? An Evaluation of Improvements in Industry Self-Regulation, 2017–2021,” 20 Int’l J. Behav. Nutr. & Physical Activity 118 (2023) (CFBAI participants accounted for 79% of advertising on children’s television); BBB National Programs, CFBAI, Annual Reports (2023 & 2022) (CFBAI participants representing 57% and 70%, respectively, of food advertising on children’s television), available at <https://bbbprograms.org/programs/children/cfbai>.

advertising or to advertise fewer foods has reduced the amount of food advertising directed to children. Recent studies confirm the decline in child-directed television advertising by CFBAI participants. A study published in 2024 that measured children's exposure to food-related advertisements on children's television programming found that from 2013⁷ to 2022, food advertisements seen by children ages 6-11 on children's TV programming decreased by 97% (from 1,745 to 52 ads seen per year), driven by a nearly 98% reduction in exposure to ads from CFBAI companies (from 1,293 to 27 ads seen per year).⁸ This decline in children's exposure to food advertisements from CFBAI participants on children's programming continues the trend revealed in data from two prior studies, which found that children ages 6-11 viewed approximately 73% fewer food and beverage advertisements on children's television programming in 2021 compared to 2016.⁹ The decline in exposure since CFBAI's launch in 2007 is even greater.¹⁰ The magnitude of this reduction in children's exposure to food advertising on child-directed TV programming outpaces the rate at which children's viewing habits have shifted from television to digital media.¹¹

Studies similarly have found little food and beverage advertising in child-directed digital content.¹² Most CFBAI participants did not engage in any child-directed food or beverage digital advertising in 2024. As described in Section IV.A.3, the availability of age-targeting tools for programmatic advertising has facilitated the reduction in children's exposure to child-directed digital food advertising. BBB National Programs' monitoring also has helped drive these changes by ensuring participants abide by their CFBAI pledge commitments.

CFBAI's positive influence on children's food and beverage advertising reaches beyond its participants' commitments. CFBAI's nutrition criteria have been used by non-participant third parties as a basis for better meal options on kids' menus in restaurants and guidelines regarding the use of licensed characters on foods and beverages.¹³ Additionally, many digital publishers and platforms have adopted policies that prohibit or restrict food advertising on child-directed content.¹⁴ These actions, in concert with CFBAI commitments, have significantly altered the children's food and beverage advertising landscape and contributed to improvements in the broader children's food environment.

7 2013 was the year before CFBAI's Uniform Nutrition Criteria became effective.

8 Lisa M. Powell et al., "Trends in Children's Exposure to Food and Beverage Advertising on Television," 7 JAMA Netw. Open e2429671 (2024). The study segregates food advertising from restaurant advertising. Over this same period, however, the exposure of children ages 6-11 to advertisements from CFBAI's two restaurant participants (Burger King and McDonald's) on children's TV programming declined by over 97% (from 205 ads in 2013 to 5 ads in 2022).

9 See Jensen, *supra* note 6, at tbl. 3; UConn Rudd Ctr. for Food Policy & Obesity, "FACTS 2017: Food Industry Self-Regulation After 10 Years" fig. 10, tbl. 14 (Nov. 2017). The Jensen study found that children ages 6-11 viewed an average of 202 food ads from CFBAI participants on children's television in 2021, or 72% less than the 742 ads from CFBAI participants viewed by children in 2016 per the FACTS 2017 report. Because the FACTS 2017 report included quick-serve-restaurant ad viewings, which were not included in the Jensen study, the ad viewings attributed to McDonald's in FACTS 2017 have been excluded in deriving the 73% decline assessment.

10 FTC data shows that children saw over 50 food ads per week on children's television in 2004 before CFBAI was launched. See Fed. Trade Comm'n, "Children's Exposure to TV Advertising in 1977 and 2004: Information for the Obesity Debate" 60 tbl. 5.6 (2007).

11 The 2024 Powell study examined television data from 2013 to 2022. According to a 2022 Common Sense Media survey, average entertainment screen use among 8- to 12-year olds was five and a half hours of screen media per day (5:33) in 2021, and television on a TV set accounted for one hour and eleven minutes of that time. Victoria Rideout et al., "The Common Sense Census: Media Use by Tweens and Teens, 2021" tbl. A (Common Sense Media 2022).

12 See Emily L. Kenney et al., "Estimating Young Children's Exposure to Food and Beverage Marketing on Mobile Devices," 8 Curr. Dev. Nutr. e104505 (2024) (estimating children's exposure to food advertising on mobile devices in 2022-2023). The Kenney study reported a median number of zero food advertisements were seen per child per day, with only a fifth seeing more than one instance of food marketing per day. Notably, median exposure to foods ads was greater than zero only on YouTube (a general audience platform), with no exposures occurring on many popular apps like Netflix, Disney+, YouTube Kids, Prime, and many gaming apps visited by children. See also Frances Fleming-Milici et al., "Young Children's (3-8y) Food and Beverage Brand Exposure on YouTube and YouTube Kids: An Observational Study and Content Analysis," 125 J. Acad. Nutr. Diet. 1482, tbl. 3 (2025) (finding that children saw zero food and beverage ads on the child-directed YouTube Kids platform; among children who saw any ads on the general audience YouTube platform, they saw an average of only one ad, with no ads being identified as appearing on child-directed or "Made for Kids" content).

13 See, e.g., Nat'l Rest. Ass'n, "Updates to Kids LiveWell: White Paper on Updated Nutrition Criteria" (2021), available at <https://restaurant.org/getmedia/8bbc70ec-aa58-411d-8f57-d0bf794917cd/kids-livewell-whitepaper.pdf>; Cartoon Network, "Cartoon Network Nutrition Criteria for Use of Characters for Licensed Products and Promotional Tie-Ins" (Jan. 1, 2020), available at https://i.cartoonnetwork.com/CharacterLicensingNutritionalGuidelines_CartoonNetwork_US_2019.pdf.

14 See Section IV.A.3, *infra*.

III. Program Developments

CFBAI has made regular program enhancements over the years, including updating program requirements to capture new channels of advertising, adopting a more rigorous definition of “child-directed advertising,” strengthening the program’s nutrition criteria, and expanding the program’s age coverage. CFBAI made additional enhancements in 2024 that expanded the scope of the participating companies’ advertising commitments and increased transparency into CFBAI participants’ child-directed advertising.

A. Expansion of CFBAI’s School Commitment

Pursuant to CFBAI’s Core Principles, companies participating in CFBAI may not engage in child-directed advertising of any foods and beverages in elementary schools. In 2024, CFBAI’s participants agreed to expand the scope of the school commitment to include middle schools, thereby extending the scope of the commitment through eighth grade. The expanded school commitment became effective for the 2024-2025 school year.

B. Updates to CFBAI’s Category-Specific Uniform Nutrition Criteria

CFBAI participants may advertise in child-directed covered media only foods and beverages that meet CFBAI’s Uniform Nutrition Criteria (UNC). The UNC sets limits on calories, saturated fat, sodium, and added sugar in advertised foods and requires those foods to provide positive nutritional contributions (e.g., dairy, whole grains, calcium, Vitamin D). CFBAI adopted the first edition of its UNC in 2011, which went into effect in 2014. CFBAI enhanced and revised the UNC in a second edition adopted in 2018 and implemented in 2020.¹⁵

CFBAI modified the UNC in 2024 in several key product categories. The Cereals and Small Meals categories represented half of the product categories advertised in child-directed television programming by CFBAI participants in 2024. Pursuant to participant agreement, a 20% reduction was made to the sodium limit in the Cereals category, and an approximately 8% reduction was made to the added sugar limits for the Small Meals category. An approximately 14% reduction was also made to the added sugars limit for the Mixed Dishes category. These reductions became effective January 1, 2025.

15 The criteria were implemented January 1, 2020, coinciding with the implementation date for FDA’s Nutrition Facts and Supplement Facts Label and Serving Size final rules. The 2018 UNC included improvements that impacted every category, including the use of added sugars rather than total sugars to align with FDA’s updated Nutrition Facts Panel (NFP); sodium threshold reductions in 13 of 17 categories; reductions to added sugars contributions in key categories such as Milks, Savory Snacks and Sweet Snacks; an updated criteria for whole grains to ensure that foods qualifying based on whole grain content contribute a meaningful amount of whole grain; a requirement of more food groups in the Main Dish and Meal categories, which typically make significant contributions to children’s diets; more rigorous nutrient-based qualifiers that are limited to “under-consumed” nutrients; and use of more transparent and descriptive food categories.

C. Product List Developments

CFBAI publishes a Product List that is publicly available on CFBAI’s website and is updated twice a year. Prior to 2024, the Product List identified the foods and beverages of CFBAI participants that met CFBAI’s nutrition criteria and that participants indicated might be the subject of child-directed advertising in covered media (typically on television or in digital media). Accordingly, the presence of a food or beverage on the Product List meant only that the product met CFBAI’s nutrition criteria and was eligible for child-directed advertising, not that the product appeared in such advertising.

In 2024, CFBAI adopted a new approach for the Product List. Rather than listing food and beverages meeting CFBAI’s nutrition criteria that participants might advertise in child-directed media, the Product List in 2024 identified only foods and beverages meeting CFBAI’s nutrition criteria that participants either were advertising in child-directed media or planned to advertise in child-directed media over the next six months. This new approach to the Product List provides greater transparency into participants’ actual child-directed advertising and the specific foods and beverages featured in such advertising.

The 2024 Product List reflected only a few participants directing any food or beverage advertising to children. Of CFBAI’s 21 participants, just four listed foods or beverages on the Product List throughout the entire year. A fifth participant listed foods for just the second half of 2024.¹⁶ By comparison, eight participants listed foods on the Product List in 2023 (with six engaging in child-directed advertising), and 11 participants listed foods on the Product List in 2022 (with seven engaging in child-directed advertising).

A total of 17 products were listed on the Product List as the subject of child-directed advertising in 2024, the same number as in 2023, but a decrease from the 25 products advertised in 2022 and the 36 products advertised in 2021. Advertised products continued to come principally from the cereals, yogurt, meals, small meals, and juice categories. A change from 2023 was that no products from either the Sweet Snacks or Savory Snacks categories were on the Product List in 2024. All advertised foods listed by participants met CFBAI’s nutrition criteria.

D. 2024 Snapshot of Foods Advertised on Children’s TV

CFBAI has conducted annual snapshots of food and beverage advertising on children’s television programming since 2010.¹⁷ The 2024 Snapshot assessed food and beverage advertising airing from January to July 2024 on 11 children’s television networks.¹⁸ The 2024 Snapshot found advertising by only three CFBAI participants.

1. CFBAI participants engaged in less child-directed television advertising.

For the first time since CFBAI began conducting annual snapshots, most food and beverage advertising observed during the snapshot period did not come from CFBAI participants. In 2024, CFBAI participants accounted for 30% of the food and beverage advertising appearing on children’s TV programming during the snapshot period, compared to 57% in 2023 and 71%

16 McDonald’s, Post, Danone, and Kraft Heinz had products on the Product List for the full year. Keurig Dr. Pepper listed Mott’s No Sugar Added Applesauce and Mott’s 100% Juice on the Product List for the second half of 2024 to account for advertising that appeared only for a short time on their brand website.

17 CFBAI uses the TV ad-tracking platform iSpot to create its snapshots. The platform uses audio and video fingerprinting technology to extract product advertisements, movie trailers, and other entertainment promotions. It identifies the industry, product category and brand, as well as information regarding where and when the ad aired. This database can be searched by various criteria and subscribers can view ads.

18 Boomerang, Cartoon Network, Discovery Family, Disney Channel, Disney XD, Disney Jr., Nick, Nick Jr., Nicktoons, Teen Nick, and Universal Kids. The Snapshot assessed advertisements airing from 6 AM – 9 PM on programs identified by iSpot as kids programming from advertisers with at least 25 ad airings.

in 2022.¹⁹ Prior to 2022, CFBAI participants generally accounted for more than 70% of food and beverage advertising on children’s TV networks.

This significant multi-year decline has been primarily driven by fewer CFBAI participants engaging in child-directed food advertising in any media, including digital media. Only three CFBAI participants advertised foods or beverages on children’s television programming. Of the other 18 CFBAI participants that did not advertise on child-directed television in 2024, only two advertised to children in digital media.²⁰ The remaining 16 participants did not advertise any foods or beverages in any covered media primarily directed to children, including digital media.

2. Less food and beverage advertising was observed overall.

Less advertising by CFBAI participants drove a reduction in food advertising on children’s networks from all companies, including companies not participating in CFBAI. The number of total airings of food and beverage advertisements from all companies during the snapshot period in 2024 versus 2023 declined by approximately half, driven by an approximately 73% reduction²¹ in the number of airings from CFBAI participants.

3. Foods featured in participants’ ads provided food groups and/or were good sources of nutrients of public health concern or under-consumed nutrients; calorie contributions were modest.

Advertising from CFBAI participants on child-directed TV programming featured only foods and beverages meeting CFBAI’s Uniform Nutrition Criteria. Four categories of foods were advertised by CFBAI participants, with Meals and Small Meals the most frequently advertised categories. The advertised kid’s meal provided two food groups and an excellent source of calcium. Small Meals provided food groups and under-consumed nutrients. Advertised cereals were a good source of Vitamin D or an excellent source of an under-consumed nutrient like iron, and all advertised juices were 100% fruit juice with no added sugars. None of the advertised foods exceeded nutrition criteria limits on calories, saturated fat, added sugar, or sodium. The Snapshot did not find any advertising by CCAI participants, demonstrating compliance with the CCAI Core Principles.

4. Restaurant offerings and candy were the most advertised foods by non-participants.

Restaurant offerings (e.g., pizza chains and quick-serve and casual restaurants) were the most frequently advertised foods from companies not participating in CFBAI, followed by advertisements for candy and cereal. Restaurant ads from non-participants typically did not feature a children’s meal. Advertisements from non-participants for other food categories represented a small percentage of overall food advertising. The most frequently advertised non-foods product category was toys and games, followed by advertising for movies and video games and other entertainment.

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19 CFBAI participant advertising prior to 2024 included the brands of WK Kellogg’s. WK Kellogg’s was not a CFBAI participant in 2024, following the split of Kellogg Company into Kellanova and WK Kellogg’s near the end of 2023. The reduction in CFBAI participant advertising observed in the 2024 Snapshot was not driven by WK Kellogg’s non-participation, however. CFBAI participant advertising still would have accounted for a minority (40%) of total food and beverage ads even if WK Kellogg’s brands had been included.

20 Danone did not advertise on children’s TV programming but advertised its Danimals brand yogurts in digital media. Per *supra* note 16, Keurig Dr. Pepper advertised an applesauce product and a 100% juice only on their brand website for a short period.

21 67% if WK Kellogg’s brands had been included.

IV. 2024 Pledge Compliance Evaluation

As a condition of CFBAI participation, each company contractually agrees to have its CFBAI pledge commitment publicly posted on CFBAI's website and to be held accountable to that commitment through independent compliance monitoring by the program administrator, BBB National Programs. BBB National Programs monitors participant compliance in several ways.

For television advertising, BBB National Programs analyzes a robust sample of participant advertising on children's television networks using a third-party service that tracks television advertising and provides information about the programs on which advertisements appeared, the products advertised, and the advertising content. Nielsen data is obtained for information about the measured audience composition of many programs on which participants' food and beverage ads appeared.

BBB National Programs also monitors digital content popular with children. BBB National Programs' digital monitoring has increased as children's media engagement has shifted from television to digital content. In 2024, BBB National Programs visited more than 1,000 participant and third-party websites, games, YouTube channels, and mobile apps to assess participants' compliance with their respective CFBAI pledge commitments.

Additionally, BBB National Programs requires each CFBAI participant to submit an annual report about its child-directed advertising that covers the products advertised, the media in which such ads were placed, and the participant's overall program compliance. Any compliance issues that are observed by or reported to the administrator are investigated and addressed with the participant, and when necessary, corrective measures are taken to prevent recurrence. BBB National Programs maintains the right to expel a participant for repeated non-compliance and, in extreme circumstances, refer the matter to appropriate regulatory authorities.

Participants have created internal policies and procedures to support ongoing compliance with their CFBAI commitments, including employee training, guidance regarding advertising placement for use by internal media teams and external partners, and systematic processes for reviewing and executing advertising and media buys.²² CFBAI works with participants and other industry stakeholders like media companies to stay informed regarding the evolving media landscape and how changes in that environment may affect CFBAI compliance.

BBB National Programs found that CFBAI participants delivered excellent compliance with their pledges in 2024. These findings are consistent with past assessments, which likewise found excellent compliance.

22 These policies and procedures often direct employees across multiple internal divisions and departments, including legal, marketing, policy and planning, product development, product distribution, brand management, regulatory affairs, nutrition, and sales, as well as third parties involved in advertising development and placement, such as advertising agencies and media buyers. Information about participants' compliance training is requested in the annual compliance reports that participants are required to submit.

A. Key Compliance Findings

1. Overview

CFBAI’s Core Principles apply to advertising primarily directed to children under age 13 in covered media, including television, print, radio, and digital media (e.g., streaming platforms, mobile apps, websites, online games, etc.) and forms of marketing therein (e.g., product placement, use of influencers, etc.).

Advertising in media for which reliable audience composition data is available from third parties, such as television and print media, is deemed to be “primarily directed to children” when children ages 2-12 constitute at least 30%²³ of the expected audience at the time a participant buys the advertising in such media, typically the year before the advertising airs. CFBAI refers to the expected percentage of children in the audience as the “audience threshold.”

For media where reliable audience composition data often is not available, such as in digital media, CFBAI assesses whether an ad is primarily directed to children based on an evaluation of multiple factors, including age demographics for the site or digital content, an assessment of the overall nature of the content (e.g., the subject matter of the site or video, the visual content, the language used, the kind of music or audio content, etc.), whether the ad is part of a larger child-directed campaign, and actions by an advertiser or a platform to restrict children’s access to a site or content. Consideration will also be given to an advertiser’s use of targeting tools and other settings to avoid serving digital ads to children.

2. TV advertising

In addition to assessing participant advertising on children’s television networks, CFBAI licensed second and third quarter 2024 national TV audience data from Nielsen to independently assess the instances of CFBAI participants’ ad airings appearing on television programs for which children under age 13 were 30% or more of the audience. Nielsen obtains audience composition data from panels of television-owning homes that are representative of the viewing behavior of households nationwide. The Nielsen data provides detailed statistics about advertising spots: the advertiser, product, network, program, date and time of airing, the estimated audience and the demographic breakdown for ages 2-12, 2-11, and 2-5.

Because advertisers purchase most television advertising well in advance of when the advertisements will air, a participant’s program compliance is based on the expected audience composition at the time the advertising is purchased, i.e., the percentage of children under age 13 projected to be in the audience at the time the participant purchased the ad placement. The “compliance rate” stated herein is based on Nielsen measurements of the actual audience composition at the time of airing. At times, the measured audience for a program at the time of airing may unexpectedly exceed the expected under-age 13 audience composition for that airing at the time of purchase. For example, an advertisement may air during a program with a very small audience that produces an unreliable audience sample, or an occasional episode of an adult-oriented program may have a measured audience that unexpectedly exceeds the under-age 13 audience threshold. Accordingly, although instances of ads for non-qualifying foods where the measured audience at the time of airing exceeded the audience threshold are generally not violations of a participant’s pledge or evidence of non-compliance, all such instances nevertheless have been incorporated into the results reported herein.

23 Keurig Dr. Pepper, Mars, Nestle, and Unilever apply a more stringent 25% audience measurement threshold to define child-directed advertising. Each CFBAI participant’s audience measurement threshold for 2024 is set out in Appendix B.

In 2024, CFBAI’s overall television advertising compliance rate was 99.4%.

This means that 99.4% of CFBAI participants’ advertising spots were either for foods meeting CFBAI’s Uniform Nutrition Criteria and listed on the Product List (“qualifying foods”) or for non-qualifying foods that appeared on programming where children under age 13 were less than 30% of the measured audience. The individual participants’ compliance rates ranged from 98.8% to 100%, including participants that use a 25% audience threshold. Airings of advertisements for non-qualifying foods on programs measured by Nielsen as having an under-age 13 audience that exceeded companies’ audience thresholds therefore represented a very small percentage of the total television ad airings from CFBAI participants. Most airings for non-qualifying foods that exceeded companies’ audience thresholds did not occur on children’s networks.



Under CFBAI’s Core Principles, participants also commit not to engage in any food and beverage advertising that is primarily directed to children under age 6, meaning advertising for which the expected audience of children under age 6 exceeds 30% at the time of media purchase. This commitment applies regardless of whether the advertised food is a qualifying food. Children under age 6 were less than 30% of the measured audience for 99.7% of the programming on which participants’ advertising appeared. This means that only 0.3% of advertising spots aired on programs where 30% or more of the audience was under age 6.

CFBAI provides each participant with their respective company-specific data regarding ad airings measured as exceeding their company-specific audience thresholds. This data is provided so that participants can assess the need for any modifications to their future media purchases to ensure continued compliance with their CFBAI pledge commitments.

3. Digital Advertising

CFBAI commitments also apply to advertising in child-directed digital media, such as mobile apps, websites, games, and streaming platforms. Because there is no single reliable source that comprehensively captures online child-directed content or audience composition data for all digital media, CFBAI monitors a large sample of digital media popular with children, including mobile apps, games, websites, YouTube channels, and other digital platforms.

CFBAI’s monitoring of digital media has increased as children’s viewing habits have shifted from television to digital content. In 2024, CFBAI visited more than 1,000 mobile apps, games, YouTube channels, and participant and third-party websites for compliance monitoring. Participants must also submit annual reports to the program administrator about their child-directed digital advertising with information about the foods and beverages advertised, the media in which such ads were placed, and samples of any such ads for purposes of compliance evaluation. These reports request information from participants about the tools or approaches employed in their digital advertising to help them meet their commitment not to direct any food advertising to children or to advertise only qualifying foods.

Under the Children’s Online Privacy Protection Act (COPPA), operators of commercial websites and online services must avoid collecting, using, or disclosing personal information of children under 13 without verifiable parental consent.²⁴ Because of COPPA, participants do not engage in targeted advertising to children under age 13. CFBAI participants that

24 15 U.S.C. §§ 6501-6506.

advertise qualifying foods to children online therefore do so on a contextual basis, working with third parties with expertise in identifying children’s online content and the placement of ads contextually in that content.

No issues regarding participant’s compliance with their CFBAI pledge commitments in digital advertising were found or reported in 2024, except as noted below. The foods advertised by participants in child-directed digital media often are the same foods that participants have advertised on children’s television programming and frequently are even the same ads. This was the case in 2024, as the foods advertised by participants on child-directed television were also advertised in child-directed digital media. Post reported the placement of child-directed digital advertising for a cereal snack product that met CFBAI’s nutrition criteria and was on the 2023 Product List but had not been included by Post on the 2024 Product List. The advertisements were placed for only a limited period in early 2024 and were inadvertent, as the advertised product had been discontinued. Of the two participants that advertised qualifying foods only in child-directed digital media, one advertised only yogurt products that were a good source of calcium and provided a half-serving of dairy. The other advertised only for a short time on its brand website an applesauce product and a 100% juice, both of which provided a good source of an under-consumed nutrient and otherwise met CFBAI’s nutrition criteria.

There was only one instance requiring participant action in 2024. Due to a Roblox platform error, a Sour Patch Kids advertisement that was intended to be visible only to users age 13 or older was briefly visible to all users. Mondelez, the owner of the Sour Patch Kids brand, promptly reported the issue and Roblox removed the Sour Patch Kids advertising. No other compliance issues were found.

Participants’ compliance in the digital media environment has been aided by digital advertising tools and controls that enable participants to avoid serving ads for non-qualifying foods or beverages (i.e., foods or beverages that don’t meet CFBAI’s Uniform Nutrition Criteria) to children. These tools and controls, which are unavailable in linear television advertising, include targeting tools that allow participants to serve their advertising only to users that are identified as being in an older age demographic (e.g., adults age 18-35) based on information provided directly from the user or inferred from their interests or online behavior. Many digital platforms or content developers also provide identifier tools or ratings to designate content that is primarily directed to children. Participants often use “do not serve” lists or “negative targeting” (i.e., prohibiting ad placement on content associated with children or primarily child-appealing topics) to avoid serving advertisements on content deemed to be child-directed or identified as such by the platform or content creator.

Additionally, many platforms and publishers have adopted advertising policies and controls that restrict or prohibit food or beverage advertising in digital media popular with children. In conjunction with CFBAI commitments, these policies and controls have helped limit children’s exposure to food and beverage advertising in digital media. Google, which operates YouTube, prohibits food and beverage advertising on its child-directed platform.²⁵ On its general audience YouTube platform, Google prohibits food and beverage advertising on video content identified as “made for kids.”²⁶ Roblox, a platform popular with children that allows users to create and play games, restricts the display of advertising directed to children.²⁷ SuperAwesome, a leading creator and publisher of child-directed digital content

25 See Google LLC, “Advertising on YouTube Kids, YouTube Help,” available at <https://support.google.com/youtube/answer/6168681> (last visited Nov. 25, 2025).

26 See Google LLC, “Ads and Made for Kids Content,” Advertising Policies Help, available at <https://support.google.com/adspolicy/answer/9683742> (last visited Nov. 25, 2025).

27 See Roblox Corp., “Advertising Standards,” Roblox Support, available at <https://en.help.roblox.com/hc/en-us/articles/13722260778260-Advertising-Standards> (last visited Nov. 25, 2025).

in the United States, accepts food advertising only if the advertised foods or beverages meet CFBAI's Uniform Nutrition Criteria.²⁸

Similar restrictions on child-directed food and beverage advertising have been adopted by several of the most popular streaming platforms, which are increasingly replacing traditional television in children's viewing habits. Most streaming platforms offer ad-free subscription tiers, but even on ad-supported tiers, several leading platforms do not allow food and beverage advertising on content viewed through account profiles linked to children or on child-directed content. Disney permits food advertising on child-directed content or content viewed through kid profiles on Disney+ only if such foods meet Disney's nutrition criteria.²⁹ No ads for any foods are shown to children viewing content in Disney's Junior Mode setting.³⁰

The major social media platforms restrict access by children under age 13 and allow only users age 13 or older to create a general access account.³¹ These platforms have also adopted policies that restrict the serving of personalized ads to teens.³² Policies that limit the ability of advertisers to reach teens are likely to also limit the number of ads, including food ads, seen by children who may gain access to these platforms through misrepresentation of their age or other manner.

4. Advertising in Other Covered Media

BBB National Programs found no instances of participant non-compliance in other media subject to CFBAI pledge commitments:

Video games that are rated "Early Childhood" or "EC" or that are age-graded as primarily directed to children under 13 or G-rated DVDs. Participants did not report any child-directed advertising in games rated "Early Childhood" or in DVDs, and BBB National Programs did not identify any instances of non-compliance. Participant advertising in games primarily directed to children under age 13 featured only foods meeting CFBAI's nutrition criteria.

Licensed characters, celebrities, or movie tie-ins. The use of licensed third-party characters and movie tie-ins by participants in child-directed advertising in covered media was observed and reported only in advertising for qualifying foods. No use of celebrities in child-directed food advertising was observed or reported.

Print and radio. No participants reported or were observed by BBB National Programs as engaging in child-directed food or beverage advertising in print or radio.

Product placement. No participants reported engaging in product placement in child-directed content, and no compliance issues with respect to product placement were reported or observed.

Product Integration. Product integrations by participants in child-directed content featured only qualifying foods meeting CFBAI's Uniform Nutrition Criteria. No product integration of other foods was observed or reported.

Word-of-mouth (WOM) and influencers. Participants may not use child-directed influencer communications or WOM to promote foods or beverages unless such foods meet CFBAI's nutrition criteria. Only one participant used influencers in child-directed advertising. The

28 See SuperAwesome Inc., "The SuperAwesome Ad Standards," available at <https://www.superawesome.com/superawesome-ad-standards/> (last visited Nov. 25, 2025).

29 See Disney Advertising, "Disney+ Advertising Inventory Guidelines" (Aug. 2025), available at https://files.disneyadvertising.com/MediaKit/TWDC-Digital-Ad-Guidelines/disneyplus_advertising_inventory_guidelines_us.pdf (last visited Nov. 25, 2025).

30 See Disney+, "Kids Profiles on Disney+," available at <https://help.disneyplus.com/article/disneyplus-kids-profiles> (last visited Nov. 25, 2025).

31 Advertising on platforms that restrict access by users under age 13 is presumptively not primarily directed to children.

32 See, e.g., Google LLC, "Ad-serving Protections for Teens," available at <https://support.google.com/adspolicy/answer/12205906> (last visited Nov. 25, 2025); Instagram, "How Instagram Decides Which Ads to Show Teens," Help Center, available at <https://www.facebook.com/help/instagram/1079023176238541/> (last visited Nov. 25, 2025); TikTok For Business, "About TikTok Advertising Restrictions for People Under the Age of 18," available at <https://ads.tiktok.com/help/article/about-advertising-to-people-under-the-age-of-18> (last visited Nov. 25, 2025).

influencer communications promoted a yogurt product meeting CFBAI’s Uniform Nutrition Criteria. No other use of influencers or WOM by CFBAI participants for child-directed food advertising was reported or observed by BBB National Programs in 2024.

5. Advertising to Children Under Age Six

Pursuant to CFBAI’s Core Principles, companies participating in CFBAI may not engage in food or beverage advertising primarily directed to children under age 6, even if the advertised foods or beverages meet CFBAI’s Uniform Nutrition Criteria. “Advertising primarily directed to children under age 6” means advertising in which children under age 6 constitute 30% or more of the expected audience in measured media. As noted above, participants’ television advertising demonstrated excellent compliance with this commitment. Companies’ individual compliance was also excellent, with participants’ individual television compliance rates ranging from 98.9% to 100%. BBB National Programs’ monitoring of digital media, including pre-school apps, did not observe any advertising by CFBAI participants primarily directed to children under age 6, nor was such advertising reported or observed in other covered media.

6. Advertising to Children in Elementary and Middle Schools

In 2024, CFBAI participants expanded their commitment not to engage in any child-directed food or beverage advertising in elementary schools to include middle schools.³³ Although USDA’s final School Wellness Policy rule³⁴ and guidance³⁵ permit marketing in schools during the school day for foods that meet USDA’s Smart Snacks nutrition standards, CFBAI’s Core Principles prohibit any child-directed food or beverage advertising in elementary and middle schools, even foods that meet Smart Snacks nutrition standards.³⁶

No instances of non-compliance by participants with their elementary and middle school commitment were found by BBB National Programs or reported in 2024. All reported in-school activities by participants were limited to permitted activities, such as the display of signage that identifies foods for sale, fundraising support, or charitable donations provided by participants at the request of school administrators.³⁷

7. Public Inquiries Relating to Compliance

CFBAI received no complaints or inquiries relating to participants’ compliance with their pledge commitments in 2024.

33 CFBAI’s restriction on advertising applies to the entire elementary and middle school grounds and facilities, including classrooms, cafeterias, libraries, hallways, auditoriums, gyms, playgrounds, and athletic fields. The commitment covers the entire school day while children are under the authority of the school or third parties on behalf of the school. The restriction also covers school buses used to transport children to and from elementary and middle school or to any official, school-sponsored event at an elementary or middle school. The inclusion of middle schools became effective with the 2024-2025 school year.

34 See 7 C.F.R. § 210.31 (2025).

35 U.S. Dep’t of Agric., Food & Nutrition Serv., SP 24-2017, “Local School Wellness Policy: Guidance and Q&As” (Apr. 6, 2017), available at <https://fns-prod.azureedge.us/cn/local-school-wellness-policy-guidance-and-qas> (last visited Nov. 25, 2025).

36 USDA has stated that its marketing restrictions are not intended to prohibit label redemption programs, incentive programs, foods sold as part of fundraisers, and foods that are not intended to be consumed at school, if allowed by individual school districts. *Id.* These USDA-allowed activities substantially align with activities permitted under CFBAI’s Elementary and Middle School Commitment exemptions as described in footnote 37, *infra*.

37 The CFBAI and CCAI elementary and middle school commitment prohibits child-directed advertising of any foods or beverages in schools, even if such foods or beverages meet CFBAI’s Uniform Nutrition Criteria. Display materials that identify foods or beverages offered for sale in schools, items provided to school administrators for their personal use, charitable donations, support for fundraising efforts, public service messages, curriculum-support materials, and sponsorships are not subject to the commitment.

V. About the Children's Confection Advertising Initiative

A. Background

The Children's Confection Advertising Initiative (CCAI) is a BBB National Programs' voluntary advertising self-regulation program created in 2016 to allow smaller confection companies to take part in self-regulation efforts to respond to concerns about the direct advertising of certain food and beverages to children.³⁸ Modeled on CFBAI and established in partnership with the National Confectioners Association, CCAI participants commit not to advertise candy in media primarily directed to children under age 13 and not to engage in child-directed advertising in elementary and middle schools.

By joining CCAI, participants contractually agree to oversight and monitoring of their CCAI commitment by the program administrator, BBB National Programs. BBB National Programs has the discretion to remove from CCAI any participant that does not substantially comply with its commitment after giving the company notice and an opportunity to bring its conduct into compliance, and in extreme circumstances, may refer the matter to appropriate regulatory authorities.

The following companies participated in CCAI in 2024: Brown & Haley, Impact Confections, Jelly Belly, Just Born Quality Confections, PIM Brands, and RM Palmer.

B. CCAI Administrative and Compliance Procedures

CCAI was created in recognition that smaller confectionery companies have fewer administrative resources than the larger companies that participate in CFBAI, which can present a barrier to their participation in CFBAI's advertising self-regulation efforts. Accordingly, CCAI's administrative requirements are more streamlined than those of CFBAI.

First, CCAI participants are not required to submit an individual pledge. Instead, their CCAI participation—and in turn, their agreement to comply with the CCAI Core Principles—is noted on the CCAI website.³⁹ Second, CCAI participants do not submit annual reports regarding their child-directed advertising requirements as CFBAI participants are required to do but must submit to BBB National Programs an annual statement signed by a designated company official that certifies that the company has complied with its CCAI commitments. Third, CCAI participants also agree to respond promptly to reasonable requests for information from BBB National Programs relating to their program compliance.

BBB National Programs found excellent compliance by CCAI participants in 2024 with their commitment not to advertise candy in media primarily directed to children under age 13 or in child-directed advertising in elementary and middle schools. Most CCAI participants

38 See Nat'l Confectioners Ass'n, "Purpose-Driven Companies Demonstrating Leadership in Marketing Practices," available at <https://candyusa.com/responsible-marketing/> (last visited Nov. 25, 2005).

39 BBB National Programs, Children's Confection Advertising Initiative, available at <https://bbbprograms.org/programs/children/ccai>.

engage in very little advertising overall, and no instances of child-directed candy advertising in covered media or in elementary or middle schools were found or reported.

C. CCAI 2024 Program Developments

In 2024, the CCAI Core Principles were revised to align with the expanded school commitment adopted by CFBAI's Core Principles, 7th Edition. The revised CCAI Core Principles, 3rd ed., expand the scope of the commitment of CCAI participants not to engage in child-directed candy advertising in elementary schools to also include middle schools. The expanded school commitment became effective with the 2024-2025 school year.

VI. Conclusion

In 2024, the voluntary advertising self-regulation commitments of the leading food and beverage companies participating in CFBAI and CCAI continued to positively impact children's food and beverage advertising. By establishing nutrition criteria for foods and beverages in child-directed advertising where none existed before, CFBAI has changed the nature and types of foods advertised to children by many of the largest food and beverage advertisers in the United States. In more recent years, an increasing number of CFBAI participants have chosen to no longer advertise any foods or beverages in media primarily directed to children under age 13. This trend has contributed to markedly less food and beverage advertising being directed to children.

The independent monitoring and pledge transparency of CFBAI and the dedication of time and resources by participants have ensured excellent compliance with CFBAI pledge commitments. Because CFBAI participants include the largest food and beverage advertisers in the United States, the effect of CFBAI commitments on participants' advertising practices has significantly changed the children's food and beverage advertising landscape. Recent studies reflect this change, showing substantial reductions in children's exposure to food and beverage advertising in child-directed TV programming and minimal exposure in child-directed content on several of the most popular digital platforms. In digital media, the advertising commitments of CFBAI participants complement platform policies and tools that mitigate children's exposure to food and beverage advertising and/or require that advertised foods meet nutrition criteria.

CFBAI continues to evolve. CFBAI has made regular program enhancements over the years to reflect changes in child-directed food advertising. In 2024, CFBAI participants expanded their commitment not to advertise to children in elementary schools to include middle schools. Moving forward, CFBAI will continue to assess program requirements and monitoring procedures to address the use of new digital technologies for child-directed advertising. The ability of self-regulation like CFBAI to quickly adapt to marketplace changes makes it particularly well-suited to address child-directed food advertising in the digital environment, where new forms of advertising are expected to rapidly emerge from ongoing advances in artificial intelligence.

Appendix A.

CFBAI Program and Core Principles Statement (7th Edition)

CFBAI Core Principles 7th Edition

The Children's Food and Beverage Advertising Initiative

I. Introduction

CFBAI is a voluntary self-regulation program created to improve the children's food and beverage advertising landscape. Food and beverage companies and quick-serve restaurants that participate in CFBAI have agreed to the CFBAI Core Principles to help address the challenge of childhood obesity.

Background. The original "Core Principles Statement" ("Core Principles" or "Core Commitments") was issued in November 2006 when the Council of Better Business Bureaus (CBBB)¹ and 10 companies launched the Children's Food and Beverage Advertising Initiative (CFBAI) to shift the mix of foods in advertising primarily directed to children under age 12 to include healthier dietary choices. Under this revised Core Principles, 7th Edition, participants commit that, in advertising primarily directed to children under age 13 ("child-directed advertising"), they will either not advertise any foods or beverages to children in this age group or will advertise only foods that meet CFBAI's Category-Specific Uniform Nutrition Criteria.

CFBAI previously updated the Core Principles several times:

- ♦ Expanded the media scope to include new and emerging digital and mobile media in 2009 (2nd Edition, November 2009);
- ♦ Harmonized the audience definition threshold for child-directed advertising in measured media at a minimum 35% threshold (3rd Edition, September 2010);²
- ♦ Added compliance monitoring of participants' policies not to engage in advertising primarily directed to children under age 6 (3rd Edition, September 2010);
- ♦ Agreed in 2011 to adopt the CFBAI Category-Specific Uniform Nutrition Criteria as the foundation for food advertising to children, implemented by December 31, 2013 (4th Edition, January 2014).
- ♦ Agreed in 2020 to update the Core Principles (i) to reflect the adoption in 2018 of the CFBAI Category-Specific Uniform Nutrition Criteria, 2nd ed., implemented January 2020; (ii) to adopt a stricter minimum threshold for the definition of child-directed advertising in measured media, and (iii) to update the "Covered Media" provisions, including modernizing the Digital Media section to reflect significant changes in children's media consumption habits and the media landscape (5th edition, January 2021).
- ♦ Agreed in 2022 to revise the advertising coverage of the program from "advertising primarily directed to children under the age of 12" to "advertising primarily directed to children under age 13," with implementation occurring on or before January 1, 2023 (6th edition, April 2022).

CFBAI Core Commitments, 7th ed. This edition of the Core Principles expands participants' commitment to not advertise in elementary schools to include middle schools. Implementation of this change will take effect with the 2024-2025 school year.

¹ CBBB restructured into three separate nonprofit organizations in 2019. CFBAI is part of one of these organizations, BBB National Programs. CFBAI's program functions remain the same.

² At that time, participants defining child-directed advertising as advertising on media where the audience was composed of at least 50% children ages 2-11 changed to a definition of at least 35% children ages 2-11, harmonizing with other participants already using a 35% or lower threshold.

Part II of this Statement sets out the Core Principles, 7th Edition. All participants agree to make individual company-specific commitments that are consistent with these principles. Part III describes the administrative elements of the program.

II. Core Principles

Participation in CFBAI is entirely voluntary. Companies that participate in this program publicly commit to advertising policies that will further the goal of promoting balanced dietary choices to children under age 13. These commitments will be set forth in an individual “pledge” of each participant. All commitments will be consistent with the following Core Principles.

A. Advertising Primarily Directed to Children Under Age 13

Participants commit:

- ◆ That all advertising primarily directed to children under age 13 in covered media will be for foods that meet CFBAI’s Category-Specific Uniform Nutrition Criteria, 2nd ed.³ or
- ◆ That they will not engage in child-directed advertising in covered media or through other media addressed herein.

B. Covered Media

The advertising commitment applies to advertising primarily directed to children under age 13 in the following media (“covered media”):

- ◆ Television
- ◆ Radio
- ◆ Print
- ◆ Internet/Digital media, including but not necessarily limited to:
 - ◆ Company-owned websites
 - ◆ Third-party websites, including display, banner, pop-up, audio or video advertising
 - ◆ Mobile apps or mobile media, including advertising on phones, laptops, tablets, other personal digital devices, in whatever form, including email, text, IM or SMS messaging
- ◆ Platforms (e.g., YouTube) that may have content or channels that are primarily

.....

3 CFBAI’s Category-Specific Uniform Nutrition Criteria, 2nd ed. were effective January 1, 2020. CFBAI’s basis for the criteria are explained in the 2018 White Paper, available on CFBAI’s website at <https://bbbprograms.org/programs/CFBAI/>. With CFBAI’s consent, a participant may use company-specific criteria if such criteria are at least as strong as CFBAI’s criteria. A participant also may use a bifurcated approach of using its own criteria, or portions thereof, when these are stronger than CFBAI’s criteria. In no event will a participant be able to qualify a product for child-directed advertising that does not meet and/or exceed CFBAI’s criteria.

directed to children under age 13⁴

- ♦ Video and computer games that are primarily directed to children under age 13
- ♦ DVDs of movies that are rated “G” whose content that is primarily directed to children under age 13, and other DVDs whose content is primarily directed to children under age 13
- ♦ Word of mouth.⁵

C. Product Placements

Participants will commit to not paying for or actively seeking to place their foods or beverages into third-party program or editorial content of any medium primarily directed to children under age 13 to promote the sale of those products.⁶

D. Product Integrations

Participants will commit that the paid for or actively sought integration of their foods or beverages in any medium primarily directed to children under age 13, including in interactive games or other digital content, will promote only foods or beverages that meet CFBAI's Uniform Nutrition Criteria.

E. Influencers

Participants will commit to use influencers to promote foods and beverages in communications primarily directed to children under 13 only if the foods or beverages meet CFBAI's Uniform Nutrition Criteria.⁷

F. Licensed Characters, Celebrities and Movie Tie-Ins

Participants will commit that the use of third-party licensed characters, celebrities (including athletes) and movie tie-ins in advertising primarily directed to children under age 13 will be consistent with their advertising commitments set forth in Sections II.A – II.E.⁸

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- 4 CFBAI refers to YouTube explicitly because it is the leading example of an open-access platform with content directed to children. CFBAI views media platforms that restrict access by children under age 13 differently. A platform's use of valid age verification to restrict access creates a presumption that an advertiser on such platforms is not intending to primarily direct its advertising to children under age 13.
 - 5 The commitment regarding word of mouth advertising refers to advertising primarily directed to children under age 13 where a participant provides incentives (financial or otherwise), product samples or other support to individuals or groups who are not employees to encourage such individuals or groups to discuss the company's branded foods or beverages.
 - 6 As covered in these Core Principles, the term “product placement” contemplates the insertion of a product into entertainment/editorial programming in an incidental, prop-like manner. Although the product is visible, it is not incorporated into the script, story line, dialogue, or action of the scene in an integral way. The incidental nature of the product's incorporation in the entertainment content distinguishes product “placement” from product “integration.”
 - 7 Under the FTC Act and as set out in the FTC's Endorsement Guide and related FTC influencer guidance documents, endorsements, including influencer endorsements, must disclose material connections between the endorser/influencer and the brand. In addition, the CARU Guidelines and CARU cases recognize that children may have difficulty distinguishing between advertising and online content and therefore also require that ads be identifiable as advertising. CFBAI participants that work with influencers on child-directed influencer communications should request that influencers clearly and prominently disclose that the communication is advertising. However, compliance with this section of CFBAI's Core Principles will be assessed solely on whether the foods or beverages meet CFBAI's Uniform Nutrition Criteria. Note: As explained in CARU's Guidelines, content generated by a user who has no material connection to the product, service, character, or brand mentioned or depicted in the content is not advertising. However, as in the Guidelines, if a participant uses or incorporates such content in advertising primarily directed to children, then the use or incorporation of such content is covered by CFBAI's Core Principles.
 - 8 This commitment does not apply to other marketing channels, such as point-of-sale materials or packaging (provided that the packaging does not appear in advertising primarily directed to children under age 13). This commitment also does not apply to the use of company-owned characters.

G. Advertising in Elementary Schools and Middle Schools⁹

Participants commit to not advertising branded foods or beverages to children in elementary and middle schools. This includes but is not limited to advertising on or through the following items:

- ◆ Posters
- ◆ Scoreboards
- ◆ School buses
- ◆ Pencils, book covers, and other school supplies offered for sale in school
- ◆ Textbooks
- ◆ Tray liners, cups, napkins, plates
- ◆ Coolers
- ◆ Food samples and taste tests¹⁰

This commitment does not apply to displays of foods and beverages that identify foods that are for sale; fundraising support; public service messaging; curriculum materials; items given to school administrators for their personal use; charitable donations; or sponsorships.

H. Advertising to Children Under Age Six

Participants commit to not engaging in advertising primarily directed to children under age six.

I. Definitions of Child-Directed Advertising

Participants are permitted, within reasonable limits and subject to the CFBAI’s review and approval, to define “advertising primarily directed to children under age 13” (“child-directed advertising”). Compliance determinations will be made in accordance with these standards as set forth in the company’s pledge. Below we summarize the approaches that participants are required to use and other approaches that they may use to define such advertising and to demonstrate compliance with the Core Commitments.

Measured media, such as TV, radio, print and some digital. “Advertising primarily directed to children under age 13” will mean advertising for which children ages 2-12 constitute at least 30% of the expected audience (the “audience threshold”).¹¹ The audience demographics that determine compliance with this audience threshold will be measured in media impressions expected to be received by specific demographic groups at the time the advertising is purchased, based on reliable third-party information (e.g., Nielsen ratings for TV or comScore data for digital media).

Participants typically purchase most television advertising once annually, well in advance of when the advertising will air, on a daypart or timeblock basis. Advertising placed in purchased dayparts or timeblocks will be identified as compliant for purposes of CFBAI

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9 CFBAI has published FAQs regarding the Core Principles generally and the Elementary School and Middle School Commitment on the CFBAI website at <https://bbbprograms.org/programs/all-programs/cfbai/cfbai-faqs>.
10 This commitment is not intended to interfere with the ability of schools to conduct food or beverage taste tests to assess what foods or beverages to offer for sale at school.
11 Because audience measurement data for children is more readily available in the U.S. for children under age 12, CFBAI participants may apply a 27% audience threshold for children under 12 as a proxy for a 30% audience threshold for children under 13.

Digital and online media.
In the complex and rapidly evolving digital environment, advertising is delivered to users through various channels using different methods to place an ad in front of a user. Advertisers use a variety of tools and approaches to direct their ads to the intended audience.

pledge commitments based on an analysis of the annualized audience composition data for the block of time purchased.

In some cases, digital advertising called “contextual advertising” may be served based on the content that is adjacent to the ad or in which the ad is placed. Determining whether such content is child-directed depends on the composition of the audience for that content (if known) or, where reliable audience composition data is not available, an assessment of multiple factors related to that content.

Where audience composition is known, such contextual advertising will be deemed primarily directed to children under age 13 if 30% or more of the audience for the site, app, or content in which the ad is placed are children under age 13. Where audience composition data is inadequate to make this determination, contextual advertising will be deemed primarily directed to children under age 13 if the ad is placed in content that appears to be child-directed based on an evaluation of multiple factors related to that content, including whatever age demographics for the site or digital content may be available, an assessment of the overall nature of the content, including but not limited to the subject matter of the site or video, the visual content, the language used, the kind of music or audio content, the difficulty of game play, the influencer or influencers featured in the content, and actions taken to restrict children’s access to the site or content. Platforms or content developers also may provide content identifier tools that indicate whether content is child-directed.¹²

In other cases, advertising called “targeted advertising” may be served based on the characteristics of the user rather than the content the user is viewing. Advertisers or their service providers within the digital advertising ecosystem obtain information about users from multiple sources, including information that users provide directly (e.g., through online registration), information from the device(s) they use, or information about their interests that can be inferred from their online behavior. In combination, age-targeting tools and interest-based or behavioral factors help an advertiser direct an ad to those individuals that fall within a targeted age range, that are in a certain location, or that have particular interests, regardless of the content they are viewing. Advertisers also can use these tools to avoid directing an ad to a particular audience (e.g., to avoid serving an ad to children under age 13).

When engaged in this type of advertising, a participant generally will need to rely on one or more of the following tools to avoid serving ads for foods that do not meet CFBAI’s Uniform Nutrition Criteria to children under age 13:

1. Age-targeting (based on cookie data or other age indicia) to audiences other than children under 13;
2. Targeting based on interest-based or behavioral data to audiences other than children under age 13;
3. Exclusion of specific sites, channels or other content that are directed to children under age 13; and
4. The use of relevant topic, keyword, or content classification or identification systems or filters provided by the platform owner or content developer (e.g., an app developer).

12 This analysis also applies in determining whether influencer communications and product integrations are child-directed.

III. Administration and Oversight

Company pledges are established in consultation with the BBB National Programs-administered CFBAI program.¹³

1. Monitoring and Enforcement

The program is responsible for monitoring company commitments. Monitoring includes independent monitoring of covered media and the review of advertising materials, product information, and other information as reasonably requested by the program administrator (submitted on a confidential basis) to confirm participant compliance. The program also responds to inquiries relating to compliance.

The program provides, by contract, for the expulsion of a company that does not comply with its pledge after being given notice and an opportunity to bring its conduct into compliance and notice of any expulsion to regulatory authorities such as the Federal Trade Commission under appropriate circumstances.¹⁴

2. Public Reports

The program publicly issues reports detailing its activities, including any expulsions or notices of such to regulatory authorities.

3. Periodic Program Reviews

This, the Core Principles, 7th Edition, revises the “Advertising in Elementary Schools” commitment to include Middle Schools. As a result of this revision, which goes into effect for the 2024-2025 school year, participants pledge to not advertise their branded foods or beverages to children in elementary or middle schools (pre-K through 8th grade), even if such foods or beverages meet CFBAI’s Uniform Nutrition Criteria. CFBAI recognizes that individual participants have chosen or may choose to adopt company-specific policies or commitments that go beyond the Core Principles and that they may reflect these additional policies in their individual CFBAI pledges.

The program will continue to conduct periodic reviews but recognizes the need for a reasonable interval between reviews to allow participants to implement and assess the operation of any program enhancements.

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13 CFBAI’s website includes each participant’s pledge.

14 Under the contracts, BBB National Programs will give participants at least 30 days prior written notice before termination for cause and 60 days prior written notice for termination without cause. (The participants also have the right to terminate their participation upon prior written notice.) Specifically, when appropriate, BBB National Programs will notify a participant in writing of substantial noncompliance and give the participant a reasonable opportunity to bring its conduct into compliance. Upon termination of a participant, BBB National Programs may refer the matter to appropriate regulatory authorities. BBB National Programs will give a participant notice prior to making the termination and referral public.

BBB National Programs

1676 International Drive, Suite 550
McLean, Virginia 22102

1st Edition, November 2006; 2nd Edition, November 2009; 3rd Edition, September 2010; 4th Edition, January 2014; 5th Edition, September 2021; 6th Edition, April 2022; 7th Edition, May 2024.

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Appendix B.

CFBAI Category-Specific Uniform Nutrition Criteria (2nd Edition)

CFBAI Category-Specific Uniform Nutrition Criteria, 2nd ed.*

Product Category	Unit	Nutrients to Limit				Nutrition Components to Encourage	Notes
		Calories	Sat Fat	Sodium	Added Sugars		
1. Juices	LSS (max 8 oz)	—	0 g	≤ 105 mg	No added sugars or added caloric or non-caloric sweeteners	≤ 6 oz maximum 100% F/V juice	<ul style="list-style-type: none"> A serving must contain 100% F/V juice or F/V juice blends OR 100% F/V juice diluted with water only, no added caloric or non-caloric sweeteners; with or without carbonation A serving must contain no more than 6 fl oz 100% juice Sugars limited to those naturally occurring in F/V
2. Milks	8 fl oz	≤ 150	≤ 2 g	≤ 200 mg	≤ 10 g	1 c dairy <u>and</u> ≥ 10% DV calcium	<ul style="list-style-type: none"> For LSS < 8 fl oz, NTL & NCTE to be proportionately lower
3. Yogurts and Yogurt-Type Products	6 oz	≤ 170	≤ 2 g	≤ 140 mg	≤ 18 g	≥ ½ c dairy <u>and</u> ≥ 10% DV calcium	<ul style="list-style-type: none"> For LSS < 6 oz, NTL & NCTE to be proportionately lower
4. Cheese and Cheese Products	LSS	≤ 80	≤ 3 g	≤ 240 mg	≤ 2 g	≥ ½ c dairy equivalent <u>and</u> ≥ 10% DV calcium	<ul style="list-style-type: none"> For LSS < 1 oz, NCTE to be scaled to ≥ ½ c dairy equivalent and ≥ 10% DV calcium
5. Cereals	LSS	≤ 200	≤ 1.5 g	≤ 230 mg	≤ 12 g	≥ ½ serving of WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	<ul style="list-style-type: none"> LSS based on increased RACC (40 g) RTE cereals with 60 g RACC may contain ≤ 220 calories and must meet the NTL criteria (≤ 1.5 g sat fat, 0 g labeled trans fat, ≤ 230 mg sodium and ≤ 12g added sugars) and qualify based on WG content or contain ≥ 10% DV of an under-consumed nutrient
6a. Savory Snacks	LSS	≤ 150	≤ 1.5 g	≤ 260 mg	≤ 4 g	≥ ½ serving or first ingredient a F/V/D/M/WG <u>or</u> ≥ 10% of an essential nutrient	<ul style="list-style-type: none"> If the first ingredient is a nut, the item may contain ≤ 200 calories and ≤ 2.5 g sat fat If the first ingredient is dairy (milk, yogurt, cheese), the item may contain ≤ 200 calories and ≤ 2 g sat fat
6b. Sweet Snacks	LSS	≤ 150	≤ 1.5 g	≤ 200 mg	≤ 9 g	≥ ½ serving or first ingredient a F/V/D/M/WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	<ul style="list-style-type: none"> If the first ingredient is a nut, the item may contain ≤ 200 calories and ≤ 2.5 g sat fat If the first ingredient is dairy (milk, yogurt, cheese), the item may contain ≤ 200 calories and ≤ 2 g sat fat
7. Waffles and Pancakes	LSS	≤ 200	≤ 2 g	≤ 360 mg	≤ 10 g	≥ ½ serving WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	
8. Breads	LSS	≤ 150	≤ 1.5 g	≤ 250 mg	≤ 4 g	≥ ½ serving WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	

* Last updated March 2025.

Product Category	Unit	Nutrients to Limit				Nutrition Components to Encourage	Notes
		Calories	Sat Fat	Sodium	Added Sugars		
9. Pastas (plain)	LSS	≤ 200	0 g	0 mg	No added sugars	≥ ½ serving WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	
10. Fruits and Vegetables	LSS	—	No added fats	Very low sodium	No added sugars	≥ ½ serving of F/V	
11. Seeds, Nuts, and Nut Butters and Spreads	1 oz or 2 Tbsp	≤ 220	≤ 3.5 g	≤ 230 mg	≤ 4 g	≥ 1 oz meat equivalent	♦ For LSS < 1 oz or 2 Tbsp, NTL & NCTE to be scaled proportionately
12. Meat, Fish, and Poultry Products	LSS	≤ 120	≤ 2 g	≤ 280 mg	≤ 2 g	≥ 1 oz meat equivalent	♦ For LSS ≤ 1 oz, NTL to be proportionately lower
13. Soups and Meal Sauces	LSS	≤ 200	≤ 2 g	≤ 470 mg	≤ 4 g	≥ ½ serving a F/V/D/M/WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	♦ Tomato-based products allowed to have 7 g added sugars to balance pH
14. Mixed Dishes	LSS	≤ 280	≤ 2.5 g	≤ 515 mg	≤ 6 g	≥ ½ serving or first ingredient a F/V/D/M/WG and ≥ 10% DV of one under-consumed nutrient <u>or</u> ≥ 10% DV of two under-consumed nutrients	♦ Products include pasta mixes, casseroles, burritos, pizzas, & sandwiches that do not meet FDA/USDA definition for main dishes
15. Main Dishes and Entrées	LSS	≤ 350	≤ 10% kcal	≤ 570 mg	≤ 9 g	≥ 1 serving of F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient	♦ Items must meet FDA/USDA definition for main dishes ♦ If the first ingredient is a nut, nut butter, or dairy (milk, yogurt, cheese) product, the item may contain up to 15% kcal sat fat of these ingredients reflecting their higher intrinsic sat fat levels
16. Small Meals	LSS	≤ 450	≤ 10% kcal	≤ 570 mg	≤ 13 g	≥ 1½ servings of F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient <u>or</u> ≥ 1 serving of F/V/D/M/WG <u>and</u> ≥ 10% DV of two under-consumed nutrients	♦ Small meals contain multiple items but do not meet FDA/USDA definition for meals ♦ If the first ingredient is a nut, nut butter, or dairy (milk, yogurt, cheese) product, the item may contain up to 15% kcal sat fat of these ingredients reflecting their higher intrinsic sat fat levels
17. Meals (entrée and other items including a beverage)	Meal	≤ 600	≤ 10% kcal	≤ 700 mg	≤ 15 g	≥ 2 servings of F/V/D/M/WG and ≥ 10% DV of one under-consumed nutrient	♦ Meals must meet FDA/USDA definition for meals
18. Plant-Based Milk Alternatives	8 fl oz	≤ 150	≤ 2g	≤ 200 mg	≤ 12 g	≥ 10% DV <u>and</u> ≥ 10% DV vitamin D <u>and</u> ≥ 10% DV protein	♦ For LSS < 8fl oz, NTL & NCTE to be proportionately lower

Definitions and Notes

DV: Daily Value.

Essential Nutrients: Those occurring naturally in foods (or that are added to foods to meet standards of identity or to restore nutrients lost in processing), and for which a DV has been established.

Exemptions:

- Sugar-free mints, gum and gelatin.
- Beverages, including bottled waters that meet FDA regulations for “low calorie,” “very low sodium,” and contain ≤ 5 g added sugars per LSS (does not include diet sodas).

Food with NFP dual-labeling:

- For products that are packaged and sold as a single serving, contain more than 150% but less than 200% of the RACC, and provide dual columns on the NFP, the NTL and NCTE criteria may be based on the common household measure that most closely approximates the RACC. See, 21 C.F.R. § 101.9(b)(6).
- For products that are packaged as an individual unit in a multi-serve pack, weigh 50% or less of the reference amount, and provide dual columns on the NFP (per serving and per individually wrapped unit), the NTL and NCTE criteria may be based on the nutritional information per individually wrapped unit. See, 21 C.F.R. § 101.9 (b)(2)(i)(A) and 21 C.F.R. § 101.9 (b)(10)(ii).

F/V/D/M/WG: Any combination of fruits, vegetables, non/low-fat dairy, meat or meat alternate, and/or whole grains. USDA Food Group Serving Equivalents for F/V/D/M are noted in the Table below. To provide a ½ serving of whole-grain (WG), a food must provide ≥ 8 grams of whole grains and meet at least one of the following: 1) First ingredient a whole grain, or 2) ≥ 50% whole grains by weight of product; or 3) 50% whole grains by weight of grains. Foods that have F/V/D/M/WG as the first ingredient after water also qualify.

LSS: Labeled serving size.

Plant-Based Milk Alternatives: Plant-based beverages that are often used in place of dairy milk, such as soy milk, almond milk, oat milk, pea milk, and blends thereof (e.g., almond-coconut milk or oat-coconut milk) and that are typically derived by combining the characterizing ingredient(s) (e.g., soy) with water, which is commonly the first ingredient.

RACC: Reference amount customarily consumed.

Serving(s): See USDA Food Group Serving Equivalents Table.

Under-consumed nutrients: Certain nutrients are considered “under-consumed” because they are consumed in amounts below the Estimated Average Requirement or Adequate Intake levels. Under-consumed nutrients, as identified in the 2020 Dietary Guidelines Advisory Committee Report and/or as required by FDA to be declared on the NFP, are calcium, choline, fiber, iron, magnesium, potassium, and Vitamins A, C, D, E and K (DGAC Report, Part D, Chapter 1 page 68 and FDA, Food Labeling: Revision of the Nutrition and Supplement Facts Label, 81 FR 33742, 33884 (2016)).

USDA Food Group Serving Equivalents: (See Table below). Meat/meat alternate aligns with the USDA Food Group Serving Equivalents that CFBAI currently uses to measure food groups and the USDA meal planning requirements for the federal school lunch and breakfast programs. Meat/meat alternate includes meat, poultry, seafood, eggs, legumes (beans and peas), soy products, and nuts and seeds. One oz-eq is 1 ounce of meat, poultry, or seafood; 1 egg; ¼-cup of cooked beans or tofu; 2 Tbsp peanut butter; or 1 ounce of nuts or seeds.

Yogurt-type products: Includes products that contain cultured dairy-based yogurt in liquid form, such as yogurt-based smoothies.

Whole grains: Grains and grain products made from the entire grain seed, usually called the kernel, which consists of the bran, germ, and endosperm. If the kernel has been cracked, crushed, or flaked, it must retain the same relative proportions of bran, germ, and endosperm as the original grain in order to be called whole grain. Many, but not all, whole grains are also sources of dietary fiber (Scientific Report of the 2020 Dietary Guidelines Advisory Committee, Appendix F-1: Glossary, Page 12).

USDA Food Group Serving Equivalents Table

Food Group Component	1 Serving	One-half Serving
Fruits and vegetables	½ cup	¼ cup
Fruit and vegetable juices	½ cup (4 fl oz)	¼ cup (2 fl oz)
Dried fruit	¼ cup	⅛ cup
Milks	1 cup (8 fl oz)	½ cup (4 fl oz)
Yogurt	8 oz	4 oz
Cheese, natural	1.5 oz	0.75 oz
Cheese, processed	2.0 oz	1.0 oz
Meat/meat alternate	1 oz-eq	½ oz eq
Whole grains	See Definitions and Notes for definition of Whole Grains	

Appendix C.

CFBAI Participants' Child-Directed Advertising Commitments (2024)

Appendix C. CFBAI Participants’ Child-directed Advertising Commitments			
Company	Children Under Age 6 Commitment	Children Under Age 13 Commitment	Audience Threshold
Keurig Dr Pepper	No advertising	Qualifying foods only	25%
Mars, Incorporated	No advertising primarily directed to children under age 13		
Nestlé USA	No advertising primarily directed to children under age 13		
Unilever United States	No advertising primarily directed to children under age 13		
Burger King Corporation	No advertising	Qualifying foods only	30%
The Campbell’s Company	No advertising	Qualifying foods only	
Conagra Brands, Inc.	No advertising	Qualifying foods only	
Danone North America, PBC	No advertising	Qualifying foods only	
Ferrara Candy Company	No advertising	Qualifying foods only	
Ferrero USA, Inc.	No advertising primarily directed to children under age 13		
General Mills Inc.	No advertising	Qualifying foods only	
Hostess Brands, Inc.	No advertising	Qualifying foods only	
Kellanova	No advertising	Qualifying foods only	
Lindt and Sprungi	No advertising	Qualifying foods only	
McDonald’s USA	No advertising	Qualifying foods only	
Mondelēz Global, LLC	No advertising primarily directed to children under age 13		
PepsiCo, Inc.	No advertising	Qualifying foods only	
Post Foods, LLC	No advertising	Qualifying foods only	
The Coca-Cola Company	No advertising primarily directed to children under age 13		
The Hershey Company	No advertising primarily directed to children under age 13		
The Kraft Heinz Company	No advertising	Qualifying foods only	

Appendix D.

CCAI Core Principles (3rd Edition)



**National
Programs**
Children's Confection
Advertising Initiative

CCAI

Core Principles, 3rd Edition

The Children's Food and Beverage Advertising Initiative

I. Introduction

Background

The Children's Confection Advertising Initiative (CCAI) is a voluntary advertising self-regulation program administered by BBB National Programs. Under CCAI's Core Principles, CCAI participants commit to not engage in advertising primarily directed to children under age 13.

CCAI complements the work and goals of the Children's Food and Beverage Advertising Initiative, which was created in 2007 to improve the children's food and beverage advertising landscape. BBB National Program's predecessor organization (the Council of Better Business Bureaus) and the National Confectioners Association (NCA), a trade association representing the chocolate, candy, gum and mint industries, established CCAI in 2016 for NCA-member confectionery companies not already participating in CFBAI. CCAI is intended for companies that comprise no more than five percent of confectionery market sales and are not already participating in CFBAI.¹

Currently Ferrara, Ferrero, Hershey, Lindt and Sprüngli, Mars Incorporated, and Mondelēz, which represent most confectionery sales in the U.S., participate in CFBAI. CCAI participants publicly commit to not engage in advertising primarily directed to children under age 13 ("child-directed advertising"), as defined below, and to not advertise to children in elementary and middle schools.

CCAI brings the benefit of participation in self-regulation and adherence to CFBAI's Core Principles within reach for other NCA members. The program recognizes that many confectionery companies have fewer administrative resources than those that participate in CFBAI and that disparity can present a barrier to their participation in the CFBAI. Accordingly, the administrative requirements in CCAI are more streamlined than those of CFBAI.

First, CCAI participants are not required to submit an individual pledge.² Instead, participation is noted on BBB National Program's website. Second, CCAI participants are not required to submit an annual compliance report. A CCAI participant is required, however, to submit an annual statement that it has complied with its CCAI commitments. CFBAI also independently monitors compliance with the CCAI commitments to not engage in child-directed advertising in covered media and annually reports on CCAI participants' compliance.

1 In the case of a subsidiary, participation eligibility is determined by the gross annual revenue of the parent company. Participation in CCAI is entirely voluntary and there are no sanctions for companies that choose not to participate. NCA continues to urge all of its members who may choose to advertise to children to abide by the Children's Advertising Review Unit's (CARU) Self-Regulatory [Guidelines](#) for Children's Advertising, which provide guidance on how to advertise all products responsibly to children.

2 NCA and each CCAI participant enter a contract with BBB National Programs that defines each party's rights and responsibilities.

NCA is an associate member of CCAI and a National Partner of BBB National Programs and participates with BBB National Programs in periodic reviews of the CCAI program. BBB National Programs is the CCAI program administrator. Participants in CCAI are not CFBAI participants and are not eligible to participate in CFBAI program reviews.

CCAI Core Commitments, 3rd Edition

The CCAI Core Principles have been revised to align them with the CFBAI Core Principles, 7th Edition, the most recent iteration of CFBAI's Core Principles.

The CCAI Core Principles, 3rd Edition, expands the advertising coverage of the program to cover middle schools in addition to elementary schools. Implementation of these updated Core Principles will become effective as of the 2024-2025 school year.

II. CCAI Core Principles

Participation in CCAI is entirely voluntary. Companies that participate in this program publicly commit to not engage in child-directed advertising to children under age 13 and to not advertise to children in elementary and middle schools consistent with the following Core Principles.

A. No Advertising Primarily Directed to Children under Age 13

Participants commit that they will not engage in advertising primarily directed to children under age 13 in covered media or through other media addressed herein.³

B. Covered Media

The advertising commitment applies to advertising primarily directed to children under age 13 in the following media ("covered media"):

- ♦ Television
- ♦ Radio
- ♦ Print
- ♦ Internet/Digital media, including but not necessarily limited to:
 - ♦ Company-owned websites
 - ♦ Third-party websites, including display, banner, pop-up, audio or video advertising
 - ♦ Mobile apps or mobile media, including advertising on phones, laptops, tablets, other personal digital devices, in whatever form, including email, text, IM or SMS messaging
 - ♦ Platforms (e.g., YouTube) that may have content or channels that are primarily directed to children under age 13⁴
 - ♦ Video and computer games that are primarily directed to children under age 13
 - ♦ DVDs of movies that are rated "G" whose content is primarily directed to children under age 13, and other DVDs whose content is primarily directed to children under age 13
 - ♦ Word of Mouth⁵

3 This commitment does not apply to other marketing channels, such as point-of-sale materials or packaging (provided that the packaging does not appear in advertising primarily directed to children under age 13). This commitment also does not apply to the use of company-owned characters.

4 CCAI's Core Principles refer to YouTube explicitly because it is the leading example of an open-access platform with content directed to children. CCAI views media platforms that restrict access by children under age 13 differently. A platform's use of valid age verification to restrict access creates a presumption that an advertiser on such platforms is not intending to primarily direct its advertising to children under age 13.

5 The commitment regarding word-of-mouth advertising refers to advertising primarily directed to children under age 13 where a participant provides incentives (financial or otherwise), product samples or other support to individuals or groups who are not employees to encourage such individuals or groups to discuss the company's branded foods or beverages.

C. Product Placements

Participants will commit to not paying for or actively seeking to place their confections into third-party program or editorial content of any medium primarily directed to children under age 13 to promote the sale of those products.⁶

D. Product Integrations

Participants will commit that they will not pay for or actively seek integration of their products in any medium primarily directed to children under age 13, including in interactive games or other digital content.

E. Influencers

Participants will commit to not use influencers to promote their products in communications primarily directed to children under age 13.⁷

F. Advertising to Children in Elementary and Middle Schools⁸

Participants commit to not advertise to students in elementary and middle schools, pre-K through 8th grade. This Commitment includes but is not limited to advertising on or through the following items:

- ◆ Posters
- ◆ Scoreboards
- ◆ School buses
- ◆ Pencils, book covers, and other school supplies offered for sale in school
- ◆ Textbooks
- ◆ Tray liners, cups, napkins, plates
- ◆ Coolers
- ◆ Food samples and taste tests⁹

This commitment does not apply to displays of foods, including materials that identify the products that are being offered for sale; fundraising support; public service messaging; curriculum materials; items provided to a school administrators for their personal use; charitable donations to schools, or sponsorships

6 As covered in these Core Principles, the term “product placement” contemplates the insertion of a product into entertainment/ editorial programming in an incidental, prop-like manner. Although the product is visible, it is not incorporated into the script, story line, dialogue, or action of the scene in an integral way. The incidental nature of the product’s incorporation in the entertainment content distinguishes product “placement” from product “integration.”

7 Under the FTC Act and as set out in the [FTC’s Endorsement Guide](#) and related FTC influencer guidance documents, endorsements, including influencer endorsements, must disclose material connections between the endorser/influencer and the brand. In addition, the [CARU Guidelines](#) and CARU cases recognize that children may have difficulty distinguishing between advertising and online content and therefore also require that ads be identifiable as advertising. Note: As explained in CARU’s Guidelines, content generated by a user who has no material connection to the product, service, character, or brand mentioned or depicted in the content is not advertising. However, as in the Guidelines, if a participant uses or incorporates such content in advertising primarily directed to children, then the use or incorporation of such content is covered by CFBAI’s Core Principles.

8 The CFBAI website includes FAQs regarding the CFBAI Core Principles, including the elementary and middle school commitment, that are generally applicable to CCAI’s Principles, at <https://bbbprograms.org/programs/all-programs/cfbai/cfbai-faqs>.

9 This commitment is not intended to interfere with the ability of schools to conduct food or beverage taste tests to assess what foods or beverages to offer for sale at school.

G. Definitions of Child-Directed Advertising

Measured media, such as TV, radio, print and some digital.

“Advertising primarily directed to children under age 13” will mean advertising for which children ages 2-12 constitute at least 30% of the expected audience (the “audience threshold”). The audience demographics that determine compliance with this audience threshold will be measured in media impressions expected to be received by specific demographic groups at the time the advertising is purchased, based on reliable third-party information (e.g., Nielsen ratings for TV or comScore data for digital media).

Participants typically purchase most television advertising once annually, well in advance of when the advertising will air, on a daypart or timeblock basis. Advertising placed in purchased dayparts or timeblocks will be identified as compliant for purposes of CCAI compliance based on an analysis of the annualized audience composition data for the block of time purchased.

In some cases, digital advertising called “contextual advertising” may be served based on the content that is adjacent to the ad or in which the ad is placed. Determining whether such content is child-directed depends on the composition of the audience for that content (if known) or, where reliable audience composition data is not available, an assessment of multiple factors related to that content.

Where audience composition is known, such contextual advertising will be deemed primarily directed to children under age 13 if 30% or more of the audience for the site, app, or content in which the ad is placed are children under age 13. Where audience composition data is inadequate to make this determination, contextual advertising will be deemed primarily directed to children under age 13 if the ad is placed in content that appears to be child directed based on an evaluation of multiple factors related to that content, including whatever age demographics for the site or digital content may be available, an assessment of the overall nature of the content, including but not limited to the subject matter of the site or video, the visual content, the language used, the kind of music or audio content, the difficulty of game play, the influencer or influencers featured in the content, and actions taken to restrict children’s access to the site or content. Platforms or content developers also may provide content identifier tools that indicate whether content is child-directed.¹⁰

In other cases, advertising called “targeted advertising” may be served based on the characteristics of the user rather than the content the user is viewing. Advertisers or their service providers within the digital advertising ecosystem obtain information about users from multiple sources, including information that users provide directly (e.g., through online registration), information from the device(s) they use, or information about their interests that can be inferred from their online behavior. In combination, age-targeting tools and interest based or behavioral factors help an advertiser direct an ad to those individuals that fall within a targeted age range, that are in a certain location, or that have particular interests, regardless of the content they are viewing. Advertisers also can use these tools to avoid directing an ad to a particular audience (e.g., to avoid serving an ad to children under age 13).

When engaged in this type of advertising, a participant generally will need to rely on one or more of the following tools to avoid serving ads for their products to children under age 13:

- ♦ Age-targeting (based on cookie data or other age indicia) to audiences other than children under 13;
- ♦ Targeting based on interest-based or behavioral data to audiences other than children under age 13;

10 This analysis also applies in determining whether influencer communications and product integrations are child-directed.

- ♦ Exclusion of specific sites, channels or other content that are directed to children under age 13; and
- ♦ The use of relevant topic, keyword, or content classification or identification systems or filters provided by the platform owner or content developer (e.g., an app developer)

III. Administration and Oversight

1. Monitoring, CCAI Participant Responsibilities, and Enforcement

The CFBAI program administrator is responsible for monitoring CCAI participants' compliance with the CCAI Core Principles. Monitoring includes independent monitoring of covered media and the review of advertising materials, and other information as reasonably requested by the program administrator (submitted on a confidential basis) to confirm participant compliance. The program also responds to inquiries relating to compliance.

Each CCAI participant will submit an annual compliance statement, signed by a responsible company official, that it did not engage in child-directed advertising in measured and other covered media and did not advertise to children in elementary schools, as specified in the CCAI Core Principles. Monitoring will include a review of advertising materials, compliance statements and other information. Each CCAI participant agrees to cooperate and respond on a timely basis to reasonable requests for information from the program administrator to assess participant compliance.

BBB National Programs posts information on the CFBAI and CCAI websites to allow inquiries regarding both programs.

The program provides, by contract, for the expulsion of a company that does not comply with its CCAI commitments after being given notice and an opportunity to bring its conduct into compliance, and notice of any expulsion to regulatory authorities such as the Federal Trade Commission under appropriate circumstances.¹¹

2. Public Reports

BBB National Programs will issue public reports regarding the program and participants' compliance with the CCAI Core Principles.

3. Periodic Program Reviews

The CCAI Core Principles, 2nd Edition, revises the advertising coverage from "advertising primarily directed to children under age 12" to "advertising primarily directed to children under age 13" to align the CCAI Principles with CFBAI's Core Principles, 6th ed. CCAI's updated Core Principles also adopt a 30% minimum audience definition for child-directed advertising in measured media and update the "Covered Media" and "Definitions of ChildDirected Advertising" provisions to reflect changes in children's media consumption habits and the media landscape.

11 Under the CCAI participant contracts, BBB National Programs will give participants at least 30 days prior written notice before termination for cause and 60 days prior written notice for termination without cause. (Participants also have the right to terminate participation upon prior written notice.) Specifically, when appropriate, BBB National Programs will notify a participant in writing of substantial noncompliance and give the participant a reasonable opportunity to bring its conduct into compliance. Upon termination of a participant, BBB National Programs may refer the matter to appropriate regulatory authorities. BBB National Programs will give a participant notice prior to making the termination and referral public.

We believe that the CCAI Core Principles have broadly and properly defined “advertising primarily directed to children under age 13” and the media covered by these commitments. These definitions afford the program significant flexibility to address further media evolution. BBB National Programs and NCA will conduct periodic reviews to assess the effectiveness of the program and these Core Principles.

The Children's Food and Beverage Advertising Initiative

Since 2007, CFBAI has been working to improve the children's food and beverage advertising landscape. CFBAI's participants commit not to advertise foods and beverages in media primarily directed to children under age 13 or to advertise in such media only foods and beverages that meet CFBAI's Uniform Nutrition Criteria. CFBAI's 21 participants, which have historically represented most child-directed food advertising on TV, are: Burger King Corp.; The Campbell's Company; The Coca-Cola Company; Conagra Brands, Inc.; Danone North America, PBC; The Ferrara Candy Company; Ferrero USA, Inc.; General Mills, Inc.; The Hershey Company; Hostess Brands, Inc.; Kellanova; Keurig Dr Pepper, Inc.; The Kraft Heinz Company; Lindt & Sprüngli; Mars, Incorporated; McDonald's USA, LLC; Mondelēz Global, LLC; Nestlé USA; PepsiCo, Inc.; Post Foods, LLC; and Unilever USA. For more information about the CFBAI, visit <https://bbbprograms.org/programs/children/cfbai>.

The Children's Confection Advertising Initiative

Since 2016, CCAI participants have agreed to not advertise their confections in media primarily directed to children under age 13. CCAI's participants are Brown & Haley; Impact Confections; Jelly Belly Candy Company; Just Born Quality Confections; PIM Brands Inc; Taffy Town; and R.M. Palmer Company. For more information about CCAI, visit <https://bbbprograms.org/programs/children/ccai>.

BBB National Programs

BBB National Programs, a non-profit organization, is the home of U.S. independent industry self-regulation, currently operating more than 20 globally recognized programs that have been helping enhance consumer trust in business for more than 50 years. These programs provide third-party accountability and dispute resolution services that address existing and emerging industry issues, create fair competition for businesses, and a better experience for consumers. BBB National Programs continues to evolve its work and grow its impact by providing business guidance and fostering best practices in arenas such as advertising, child-and-teen-directed marketing, data privacy, dispute resolution, automobile warranty, technology, and emerging areas. To learn more, visit bbbprograms.org.

BBB National Programs

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