

## Children's television sub-standards: a call for significant amendments

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**TO THE EDITOR:** Australia has one of the highest levels of food advertising on television in the developed world,<sup>1</sup> with most advertisements being for foods that are high in fat, sugar, and/or salt.<sup>2</sup> Evidence from international reviews suggests that television food advertising has an independent effect on children's food preferences and purchasing requests.<sup>3,4</sup> While the size of this effect is indeterminate, and the evidence base is correlational and therefore inadequate for making causal inferences,<sup>5</sup> there is a highly plausible link between television food advertising and overweight and obesity. It is important to examine whether current regulations protect Australian children from excessive exposure to advertisements for unhealthy food on television.

Currently, Australian children's television advertising regulations are based on three regulatory codes that ostensibly aim to prevent misleading and excessive advertising to children. However, these codes lack precise definitions, allowing for subjective interpretation and creating loopholes that make the regulations difficult to enforce.

Here, we focus on one of these regulatory codes, the Children's Television Standards (CTS), presided over by the Australian Communications and Media Authority

### Methods used by food advertisers to circumvent or exploit loopholes in section 16 of the Children's Television Standards

Method	Example
Showing an advertisement twice within 30 minutes over several consecutive 30-minute periods	An advertisement for a brand of chocolate breakfast cereal was shown 12 times during a 3-hour period (two advertisements per consecutive 30-minute period)
Advertising multiple variations of a product within a 30-minute period	A confectionery company advertised four different chocolate bars within a 30-minute period

(ACMA) and available on their website at <http://www.acma.gov.au>. There is currently no published information available regarding successful complaints about breaches of the CTS since its inception in 1990.

Section 16 of the CTS specifies that an advertisement may be broadcast no more than twice within a 30-minute children's viewing period (C period). We examined whether any food advertisements breached CTS 16 in a regular week on three Sydney commercial television channels. As C periods are nominated at the discretion of broadcasters and are therefore difficult to identify, we selected periods when a high proportion of children were expected to be viewing (determined from ratings data from OzTAM, the official source of television ratings for metropolitan areas) and during programs that we believed were appealing to children.

In 357 hours of television viewing during the study week in May 2006, 14 breaches of CTS 16 were observed for food advertisements during surmised C periods. Most (80%) were for high fat and/or high sugar foods. While the number of breaches represents a small proportion of total advertisements, it is important to remember that these data correspond to only one CTS clause in 1 week of television broadcasting.

In addition, we found that food marketers circumvented or exploited a loophole in this clause 26 times during the study week. Examples of this circumvention are presented in the Box. Although not outright breaches, these instances illustrate that there are loopholes in the CTS that allow constant repetition of advertisements to children. Although the letter of the code may not be contravened in these cases, the essence of the code certainly is.

Other researchers have observed breaches of the CTS. For example, Chapman and colleagues identified 194 breaches of the CTS during 645 hours of commercial television across rural and urban locations. The majority of these were breaches of CTS 20(2)(a), relating to the misuse of premium offers to market a product.<sup>2</sup>

The ACMA is presently reviewing the CTS, with plans to issue a discussion paper for public comment. This review is well overdue. Under the *Broadcasting Services Act 1992* (Cwlth), the ACMA has a responsibility to protect children from the possible harmful effects of television viewing. To do this, significant amendments to the CTS are needed. There is a need to improve the clarity of the code, to expand C periods to include viewing times when high numbers of children are actually watching, to actively monitor advertisements, to adopt clear procedures for complaints and investigation of alleged breaches, and to impose penalties for confirmed breaches.

**Acknowledgements:** We wish to acknowledge Lesley King, Vicki Flood and Ben Smith for their contribution to the children's television advertising study and their assistance in writing this letter.

**Competing interests:** NSW Health provided funding for the television advertising study.

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