

HFSS PRODUCTS

Cadbury, promotional offers and children

The ASA did not uphold a challenge made by the Children's Food Campaign (**Sustain**), to certain advertisements (**ads**) made by Mondelez UK Ltd t/a Cadbury (**Cadbury**). The ads in question directed viewers to Cadbury's website, where they could find information about the different elements of a Secret Santa brand campaign and amongst other things, take advantage of certain promotional offers. Sustain challenged whether the ads were actually HFSS product ads that were targeted through their content directly at pre-school or primary school children and featured a promotional offer.

Both the CAP Code (rule 15.14) and BCAP Code (rule 13.9) require that HFSS product ads that are targeted through their content directly at pre-school or primary school children must not feature a promotional offer. The rules apply to all HFSS product ads whether or not they had been targeted in such a way as to direct them to people aged over 16.

The ASA therefore assessed whether:

1. the ads were HFSS product ads;
2. the ads featured a promotional offer; and
3. the content of the ads was targeted directly at pre-school or primary school children.

The ASA considered that the products featured were all HFSS products and the ads were therefore HFSS product ads.

The ads featured scenarios which meant it was clear to viewers that Cadbury was running a Secret Santa themed campaign in the run-up to Christmas. The campaign featured a few different strands of brand activity, including two promotions. While the Secret Santa themed campaign also included a non-promotional strand, since promotional and non-promotional strands were branded under the same theme, the ads promoted both the promotional and non-promotional strands of the campaign. The ASA therefore found the ads featured a promotional offer.

Although the ASA considered pre-school and primary school age children would find the Secret Santa theme and scenarios appealing, it considered they were also appealing to older children and adults, and that the content was not targeted directly at pre-school or primary school children.

Consequently, the ASA concluded that the ads did not breach the CAP Code and BCAP Code and thus no further action was necessary.

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