EXPERTS CONSULTATION TO INFORM THE DEVELOPMENT OF A DRAFT REGIONAL ACTION FRAMEWORK ON PROTECTING CHILDREN FROM THE HARMFUL IMPACT OF FOOD MARKETING: 2020-2030

5–7 December 2018
Manila, Philippines
MEETING REPORT

EXPERTS’ CONSULTATION TO INFORM THE DEVELOPMENT OF A DRAFT REGIONAL FRAMEWORK ON PROTECTING CHILDREN FROM THE HARMFUL IMPACT OF FOOD MARKETING: 2020–2030

Convened by:

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NOTE

The views expressed in this report are those of the participants of the Experts’ Consultation to Inform the Development of a Draft Regional Action Framework on Protecting Children from the Harmful Impact of Food Marketing: 2020–2030 and do not necessarily reflect the policies of the conveners.

This report has been prepared by the World Health Organization Regional Office for the Western Pacific for Member States in the Region and for those who participated in the Experts’ Consultation to Inform the Development of a Draft Regional Action Framework on Protecting Children from the Harmful Impact of Food Marketing: 2020–2030 in Manila, Philippines from 3 to 7 December 2018.
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Key words

Food / Marketing – standards / Strategic planning / Child health / Diet, food, and nutrition
SUMMARY

The nutrition landscape in the Western Pacific Region has undergone dramatic changes in the past decades, spurred by economic and income growth, urbanization and globalization. Food systems have been transformed by many factors, including the liberalization of international food trade and the shift in consumption patterns. Although cheaper foods have become more widely available; making healthy and affordable food choices consistent with optimal nutrition has become a major challenge. Traditional foods and diets are being replaced with inexpensive, highly processed, energy-dense, nutrient-poor food products, which have become more popular and widely consumed. Marketing plays a major role in the popularity and increasing consumption of breast-milk substitutes and foods and beverages high in saturated and trans-fatty acids, free sugars, or salt. At no time in history have children and their caregivers been more exposed to potential harm arising from the marketing of breast-milk substitutes, inappropriate promotion of foods for infants and young children, and marketing of food and non-alcoholic beverages (FNABs) high in saturated and trans-fatty acids, free sugars, or salt. Abundant evidence shows that marketing influences consumer choice and increasing evidence that it impacts health.

Restricting marketing of breast-milk substitutes, ending the inappropriate promotion of foods for infants and young children, and restricting marketing of FNABs with a high content of saturated and trans-fatty acids, free sugars, or salt are a part of a comprehensive package to reduce malnutrition in all its forms – a Sustainable Development Goal indicator. Global and regional action plans have called upon Member States to restrict marketing of breast-milk substitutes and FNABs through implementation of the International Code of Marketing of Breast-milk Substitutes and subsequent World Health Assembly resolutions, the Guidance on Ending the Inappropriate Promotion of Foods for Infants and Young Children as well as the Set of Recommendations on the Marketing of Foods and Non-alcoholic Beverages to Children. Concerned that despite Member States’ efforts, the harmful effects of food marketing on the diet of children continue to be widespread in the Region, the Regional Committee endorsed a resolution urging Member States to accelerate multisectoral and multi-stakeholder action to protect children from the harmful impact of food marketing and share best practices.

In response, WHO is developing a draft Regional Action Framework on Protecting Children from the Harmful Impact of Food Marketing. A virtual consultation with experts was conducted to draw on knowledge of experts working in the Region and globally. This report summarizes the outcomes of consultation held in Manila, Philippines from 3 to 7 December 2019.

Conclusions

1) The draft Regional Action Framework was welcomed and its overall structure and focus supported.

2) Experts affirmed the value of the Framework in supporting countries to accelerate their efforts to protect children from the harmful impact of food marketing.

3) Experts highlighted the importance of including in the Framework: examples from countries to illustrate the steps taken to restrict marketing of breast-milk substitutes and FNABs, the definition of marketing, the scope of marketing techniques, the age of children, and the regulatory approach to strengthen and better articulate the recommendations.
Recommendations for WHO

1) Revise the Regional Action Framework on Protecting Children from the Harmful Impact of Food Marketing with the following recommended changes:
   - Clarify the definition of marketing, the age of the children, target audience, and distinction between periodic and ongoing monitoring.
   - The final document could be a combination of a high-level overview document and a detailed plan. Some suggestions on the purpose of the document include: (1) to galvanize political will and action; (2) to describe the principles required to implement the Code and the recommendations on FNAB marketing; and (3) to raise awareness of the risks and challenges that governments may face, and what can be done to navigate them and mitigate the impact.
   - Revise specific sections of the Framework: (1) the objectives, splitting the first objective into two to avoid confusion; (2) the pillars, by first describing what each pillar is, then listing the actions under it, and including country examples/case studies; (3) section 3 implementation considerations, by moving and incorporating the steps into actions and adding regional cooperation; and (4) an additional section on the way forward for Member States and WHO.
   - Link the importance of advocacy and communication to the sections on establishing and enforcing regulations (which may help reassure Member States that action is feasible). Include examples of how advocacy/communication has supported not only policy action, but also adoption of regulation and enforcement.
   - Include/share examples of implementation from other countries.

2) Revise the draft Regional Action Framework and share it with Member States and stakeholders for comments and feedback.

3) Conduct consultation with Member States to obtain their input to the draft Regional Action Framework (26–28 March 2019).

4) Finalize the draft Regional Action Framework.
1. INTRODUCTION

1.1 Meeting organization

In 2017, the sixty-eighth session of the World Health Organization (WHO) Regional Committee for the Western Pacific endorsed a resolution urging Member States to accelerate multisectoral and multistakeholder action to protect children from the harmful impact of food marketing and share best practices. It requested the Regional Director: to advocate and provide technical support to Member States to protect children from the harmful impact of food marketing; to foster collaboration among Member States to share experiences and best practices on mechanisms for measuring and mitigating the harmful impact of food marketing; and to develop a regional action plan on protecting children from the harmful impact of food marketing, in consultation with Member States and seeking views of key stakeholders. In response, WHO developed a draft Regional Action Framework on Protecting Children from the Harmful Impact of Food Marketing. A virtual consultation with experts was convened in Manila, Philippines, from 3 to 7 December 2018. Separate sessions were held for the pillars of the Regional Action Framework either via videoconference or face-to-face meetings and one plenary virtual consultation with experts. The full list of participants is available in Annex 1 and the meeting programme in Annex 2.

1.2 Meeting objectives

The objectives of the meeting were:

1) to propose the vision, goals, and guiding principles of a draft Regional Action Framework on Protecting Children from the Harmful Impact of Food Marketing: 2020–2030;
2) to propose priorities, objectives and actions to formulate the draft Regional Action Framework;
3) to advise on a monitoring process for the draft Regional Action Framework; and
4) to analyse how global guidance, policy options and approaches on protecting children from the harmful impact of food marketing can be implemented.

2. PROCEEDINGS

2.1 Session 1: The International Code of Marketing of Breast-milk Substitutes and complementary feeding implementation, issues and challenges

Dr Juliawati Untoro, Technical Lead, Nutrition, WHO Regional Office for the Western Pacific, opened the session with an orientation and recap of activities leading up to the development of the Regional Action Framework on Protecting Children from the Harmful Impact of Food Marketing. She highlighted the status of infant and young child feeding in the Region and the implementation of the International Code of Marketing of Breast-milk Substitutes. The experts suggested clarifying the objectives related to the implementation of the Code and the guidance on inappropriate promotion of foods for infants and young children by spelling out in the objectives the need to eliminate the exposure of breast-milk substitutes and ending the inappropriate marketing of complementary foods for children 6–36 months of age. Other suggestions include: clarify the definitions of products included in the scope of the Regional Action Framework; include good practices in the Region; refer to existing tools to strengthen recommended actions; and in particular draft some language for the monitoring section from the Network for Global Monitoring and Support for Implementation of the

2.2 Session 2: Monitoring and evaluation framework and tools

Dr Bridget Kelly, Associate Professor at the University of Wollongong, presented a monitoring and evaluation framework, which is underpinned by WHO recommendations on marketing of breast-milk substitutes, inappropriate promotion of foods for infants and young children, and marketing of food and non-alcoholic beverages (FNABs) high in saturated and trans-fatty acids, free sugars, or salt. The recommended actions for monitoring and evaluation include: undertaking a review of situational context, building evidence on policy actions, and designing and implementing a monitoring and evaluation framework. To improve the section on monitoring and evaluation, including the NetCode eight steps for establishing a national monitoring system was suggested as well as highlighting the involvement of civil society/social media groups in reporting marketing violations. The monitoring and evaluation framework may include five steps: (1) stage of policy action assessment, (2) formative evaluation, (3) process evaluation, (4) impact evaluation and (5) outcome evaluation.

2.3 Session 3: Legal and regulatory aspects of the Regional Action Framework

The legal and regulatory aspects of the Regional Action Framework encompass the range of approaches that have been taken so far to restrict marketing of breast-milk substitutes, foods for infants and young children, and foods that are high in saturated fats, trans-fatty acids, free sugars or salt. The challenge, as pointed out during the discussion, is to describe these approaches in sufficient detail, clarity and depth including the steps needed to build or strengthen the legal and regulatory framework to restrict food marketing and the need to raise awareness on how countries can tackle legal issues around international trade. The need to empower Member States to be able to legislate for public health, an evidence-based, proportional, comprehensive package of regulations was emphasized. It was recommended that the purpose of the Regional Action Framework should be to increase political pressure, to lay down the principles for implementing the recommendations on restricting food marketing, and to raise awareness of the risks and challenges that governments may face in developing and implementing robust regulation, including legal challenges based on trade laws. There was also a suggestion to mention the trade and investment risks earlier in the document and to reframe the discussion so it is less intimidating for Member States starting the process, as well as to reaffirm a state’s authority and right to legislate/create law in this area.

2.4 Session 4: Experts’ feedback and consultation

2.4.1 Welcome

Dr Hai-rim Shin, Director, Division of NCD and Health through the Life-Course, WHO Regional Office for the Western Pacific, welcomed the participants to the videoconference and highlighted the importance of the Regional Action Framework on Protecting Children from the Harmful Impact of Food Marketing. She emphasized that the consultation should be aligned with WHO guidelines, based on best available evidence and informed by examples of how other countries in the Region and beyond have implemented policies and actions to protect children from the harmful impact of food marketing.
2.4.2 Overview of the draft Regional Action Framework

Dr Juliawati Untoro presented an overview of the draft Regional Action Framework, as well as the scope, purpose and expected outcomes of the experts’ consultation. The main objective of the consultation was to gather inputs from the experts to the Regional Action Framework, specifically on its goals, objectives and recommended actions. She presented the Regional Action Framework – its goal, objectives, guiding principles, pillars and recommended actions – and discussed the flow of discussion and expected outcomes from the consultation.

2.4.3 Implementation of the Code of Marketing of Breast-milk Substitutes – challenges, way forward and implication on the Regional Action Framework

Mr David Clark, Legal Adviser, United Nations Children’s Fund (UNICEF), presented the status of implementation of the International Code of Marketing of Breast-milk Substitutes, challenges and ways to address them. Lack of political will, industry interference and conflicts of interest were the main challenges he discussed. Political will can be created by: gathering and presenting the evidence to demonstrate the imperative for action; identifying policy entry points; working through regional platforms; and being prepared to pre-empt industry lobbying and misleading information or baseless arguments. Industry interference and conflicts of interest take the form of: sponsorships of influential allies; lobbying and financing of “grass-roots” resistance; threats to close businesses with resultant job losses and damage to the economy; unfounded international trade/World Trade Organization (WTO) threats; public relations exercises to improve image and present as ethical, legitimate partners; and legal challenges. Ways to counteract industry interference and conflicts of interest include: preparing economic counterarguments such as on costs of not breastfeeding and verifying the true potential economic loss if a company actually relocates; preparing and circulating true and empowering information on a state’s discretion to regulate under international trade/WTO regimes; avoiding engagement that has potential for conflict of interest or “endorsement by association”; building legal capacity and providing expertise where needed; and recasting Code violators as human rights violators. Mr Clark pointed out that WHO has published the Guidance on Inappropriate Promotion of Foods for Infants and Young Children and the NETCode toolkit for monitoring the marketing of breast-milk substitutes and suggested that these documents can help countries in their implementation of the Code.

2.4.4 Marketing and food labelling in Chile – updates, impact, challenges and lessons learnt

Dr Lorena Rodriguez Osiac, Consultant on public policies, diet and nutrition at the Public Health Institute, University of Chile, presented updates on the marketing and labelling of food in Chile. The National Law of Food and Advertising (No. 20.606 about the nutritional composition of foods and their advertising) came into force in June 2016. Under this regulation, marketing and advertising of unhealthy foods is mandatory. Recent evaluation results show a decrease of 46–62% in children’s exposure to TV advertising, 5–10% in sodium content in cheeses and sausages, and 20–25% in sugar content in beverages, dairy products and cereals. More than 90% of mothers recognize and understand the warning logos, and 40–50% of them used the logos to choose healthier products. Purchases of cereals (down 14%) and beverages (down 25%) have also decreased. Industry opposition to the Law was a key challenge in the proposal stage and in getting the law passed in parliament. Having champions both from the political side and from the academic field helped advance the cause. Additionally, the scientific basis from recognized international organizations and published studies as well as good information on the extent of the problem especially among children increased the need for action. Dr Rodriguez Osiac emphasized the importance of mapping the stakeholders (both the
supporters and the opposition) and the role of civil society and academic groups in gathering support for the Law with the different political and technical sectors, such as industry, academe, consumers, and other government sectors, such as agriculture, trade, treasury, economics and foreign affairs. She also highlighted the importance of establishing technical definitions, in which WHO, the Food and Agriculture Organization of the United Nations (FAO) and other groups of experts play a critical role.

2.4.5 Implementation of the Special Act on the Safety Management of Children’s Dietary Life in the Republic of Korea

Dr Cho-il Kim, Invited Research Fellow, Former Director General, Korea Health Industry Development Institute, presented the impact of the Special Act on the Safety Management of Children’s Dietary Life in the Republic of Korea. The Special Act was developed in response to: substandard and/or illegal foods sold in the vicinity of schools, food poisoning outbreaks in school meal programmes, and an increase in childhood obesity. The key provisions of the law are: (1) designation and management of children’s food safety and protection zone in the vicinity of schools, or so-called Green Food Zone; (2) management of advertisement of children’s favourite foods (energy-dense and nutrient-poor foods); (3) provision and dissemination of information for desirable dietary life for children such as nutrition labelling and nutrition education; (4) centres for children’s food service management; and (5) safety management system for children’s dietary life through the Safety Index. Since the law was enacted, TV advertisements of energy-dense and nutrient-poor foods have decreased, as has the energy, sodium and fat content per serving of these foods. Almost all schools (99%) in the Republic of Korea have a designated Green Food Zone and a third of local governments have one or more centres for children’s food service nationwide. However, some challenges need to be addressed, such as the evolving media and marketing techniques, the changing food environment, the change in settings where children gather, as well as cross-border marketing.

2.4.6 Discussion and feedback on the draft Regional Action Framework from Experts

The experts welcomed the draft Regional Action Framework and supported its general structure and purpose. They affirmed its value in supporting countries to continue their efforts to protect children from the harmful impact of food marketing. Suggestions to improve the Regional Action Framework include: (1) clarify the definitions of marketing as directed to children, examples of emerging marketing techniques (social media, games and engagement algorithms), target audience and the age of the children; (2) elaborate on the impact of the existing statutory regulations from the Region and include other examples; (3) highlight the importance of having nationwide survey data and scientific groundwork in convincing policy-makers to make a change and in monitoring and evaluating the impact of interventions; (4) provide specific goals and steps for each country; (5) link to global actions on noncommunicable diseases, regional plans and WHO recommendations; and (6) consider the inclusion of equity and children impacted across social groups and income classes in the discussion of a human rights-based approach.

2.5 Session 5: Discussion on the advocacy and communication

Dr Jenny Norman, Associate Lecturer, University of Wollongong, presented the fourth pillar of advocacy and communication of the draft Regional Action Framework for discussion. Advocacy and communication are underpinned by global recommendations and mandates. The overarching aim of advocacy and communication is to raise the priority of the issue to impel policy progress and build political will for action on protecting children from the harmful impact of food marketing. The recommended actions under this pillar are advocating for policy action and promoting healthy diet
through consumer education and communication. While the participants agreed about the importance of advocating for policy action, they discussed whether or not promoting healthy diet through consumer education and communication belongs under the pillar of advocacy and communication. One suggestion was that emphasizing the healthy diet campaigns will be most effective when adopted as part of a comprehensive policy approach. In addition, it was recognized that resources for advocacy and communication are widely available and that WHO’s role should be in providing advice and support to Member States and help build an evidence base on the importance of communication as part of the policy development process. There were also recommendations to link the importance of advocacy and communication to the sections on establishing and enforcing regulation and to include examples of how advocacy/communication has supported not only policy action, but also adoption of regulation and enforcement.

3. CONCLUSIONS AND RECOMMENDATIONS

3.1 Conclusions

The draft Regional Action Framework on Protecting Children from the Harmful Impact of Food Marketing was welcomed and its overall structure and focus supported. The experts affirmed the value of the Regional Action Framework in supporting countries to accelerate their efforts to protect children from the harmful impact of food marketing. They highlighted the importance of including in the framework examples from countries to illustrate the steps taken to restrict the marketing of breast-milk substitutes, inappropriate promotion of foods for infants and young children, and FNABs that are high in saturated fats, trans-fatty acids, free sugars or salt.

3.2 Recommendations for WHO

The experts requested that WHO consider the following:

1) Revise the Regional Action Framework on Protecting Children from the Harmful Impact of Food Marketing with the following recommended changes:

   o Clarify the definition of marketing, the age of the children, target audience, and distinction between periodic and ongoing monitoring.
   o The final document could be a combination of a high-level overview document and a detailed plan. Some suggestions on the purpose of the document include: (1) to galvanize political will and action; (2) to describe the principles required to implement the Code and the recommendations on FNAB marketing; and (3) to raise awareness of the risks and challenges that governments may face, and what can be done to navigate them and mitigate the impact.
   o Revise specific sections of the Framework: (1) the objectives, splitting the first objective into two to avoid confusion; (2) the pillars, by first describing what each pillar is, then listing the actions under it, and including country examples/case studies; (3) section 3 implementation considerations, by moving and incorporating the steps into actions and adding regional cooperation; and (4) an additional section on the way forward for Member States and WHO.
   o Link the importance of advocacy and communication to the sections on establishing and enforcing regulations (which may help reassure Member States that action is feasible). Include examples of how advocacy/communication has supported not only policy action, but also adoption of regulation and enforcement.
- Include/share examples of implementation from other countries.

2) Revise the draft Regional Action Framework and share it with Member States and stakeholders for comments and feedback.

3) Conduct consultation with Member States to obtain their input to the draft Regional Action Framework (26–28 March 2019).

4) Finalize the draft Regional Action Framework.
ANNEXES

Annex 1. List of participants

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Annex 2. Meeting programme

DAY 1 - 3 December 2018 (Monday)

Session 1: Group discussion on the Code and complementary feeding implementation, issues and challenges

13:30 – 13:45  15 mins  Welcome, and brief introduction to the scope, purpose and expected outcomes of the discussion

Dr Juliawati Untoro, Technical Lead, Nutrition, Division of NCD and Health through the Life-Course, WHO Regional Office for the Western Pacific

13:45 – 14:05  20 mins  General feedback on the Regional Action Framework (RAF)

14:05 – 15:30  1 hr & 20 mins  Discussion on the International Code of Marketing of Breast-milk Substitutes and complementary feeding implementation, issues and challenges

15:30 – 15:50  20 mins  Break

15:50 – 16:20  30 mins  Summary of recommended revisions

16:20 – 16:30  10 mins  Closing

DAY 2 - 4 December 2018 (Tuesday)

Session 2: Group discussion on the monitoring and evaluation framework, tools

09:00 – 09:15  15 mins  Welcome, and brief introduction to the scope, purpose and expected outcomes of the discussion by Dr Juliawati Untoro

09:15 – 9:35  25 mins  Overview of monitoring and evaluation framework by Dr Bridget Kelly

9:35 – 9:55  20 mins  General feedback on the Regional Action Framework

09:55 – 11:00  1 hr & 5 mins  Discussion on the monitoring and evaluation framework

11:00 – 11:20  20 mins  Break

11:20 – 11:50  30 mins  Summary of recommended revisions

11:50 – 12:00  10 mins  Closing

Session 3: Group discussion on the legal and regulatory aspects on the RAF

13:00 – 13:15  15 mins  Welcome, and brief introduction to the scope, purpose and expected outcomes of the discussion by Dr Juliawati Untoro


13:35 – 15:00  1 hr & 25 mins  Discussion on the legal and regulatory aspects of the Regional Action Framework
15:00 – 15:20 20 mins  Break

15:20 – 15:50 30 mins  Summary of recommended revisions

15:50 – 16:00 10 mins  Closing

**DAY 3 - 5 December 2018 (Wednesday)**

Room 404

09:00 – 09:10 10 mins  Welcome

*Dr Hai-Rim Shin, Director, Division of NCD and Health through the Life-Course*

*WHO Regional Office for the Western Pacific*

09:10 – 09:15 5 mins  Introduction by participants

09:15 – 09:30 15 mins  Overview presentation of the draft Regional Action Framework

*Dr Juliawati Untoro, Technical Lead, Nutrition, Division of NCD and Health through the Life-Course, WHO Regional Office for the Western Pacific*

09:30 – 10:00 30 mins  Presentation from experts


  *Mr David Clark, Legal Adviser, United Nations Children’s Fund, U.S.A.*

- Marketing and food labelling in Chile – updates, impact, challenges and lessons learned

  *Dr Lorena Rodriguez Osiac, Consultant on public policies, diet and nutrition, Chile*

- Implementation of the “Special Act on the Safety Management of Children’s Dietary Life” in the Republic of Korea

  *Dr Cho-il Kim, Invited Research Fellow and Former Director General, Korea Health Industry Development Institute, Republic of Korea*

10:00 – 10:15 15 mins  Question & answer

10:15-10:30 15 mins  Break

10:30 – 11:50 80 mins  Discussion and feedback on the draft Regional Action Framework from Experts

*Dr Juliawati Untoro, Technical Lead, Nutrition, Division of NCD and Health through the Life-Course, WHO Regional Office for the Western Pacific*
11:50 – 12:00 10 mins  Summary and concluding comments

13:30 – 15:30 Summing up discussion points and issues from teleconference (TC), implications to draft

**DAY 4 - 6 December 2018 (Thursday)**

<table>
<thead>
<tr>
<th>Time</th>
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| 09:00  | 09:15    | Welcome, and brief introduction to the scope, purpose and expected outcomes of the discussion  
  *Dr Juliawati Untoro, Technical Lead, Nutrition, Division of NCD and Health through the Life-Course, WHO Regional Office for the Western Pacific* |
| 09:15  | 09:35    | Overview on advocacy and communication by Dr Bridget Kelly              |
| 09:35  | 09:55    | General feedback on the Regional Action Framework                       |
| 09:55  | 11:00    | Discussion on the advocacy and communication aspects of the Regional Action Framework |
| 11:00  | 11:20    | Break                                                                   |
| 11:20  | 11:50    | Summary of recommended revisions                                       |
| 11:50  | 12:00    | Closing                                                                 |
| 13:00  | 16:00    | Consolidation of inputs, next steps                                     |