

Towards an EU-wide food marketing directive to protect child health and child rights

Brussels, 9 November 2021

Prof. Amandine Garde

Law & Non-Communicable Diseases Research Unit

School of Law and Social Justice, University of Liverpool

agarde@liverpool.ac.uk

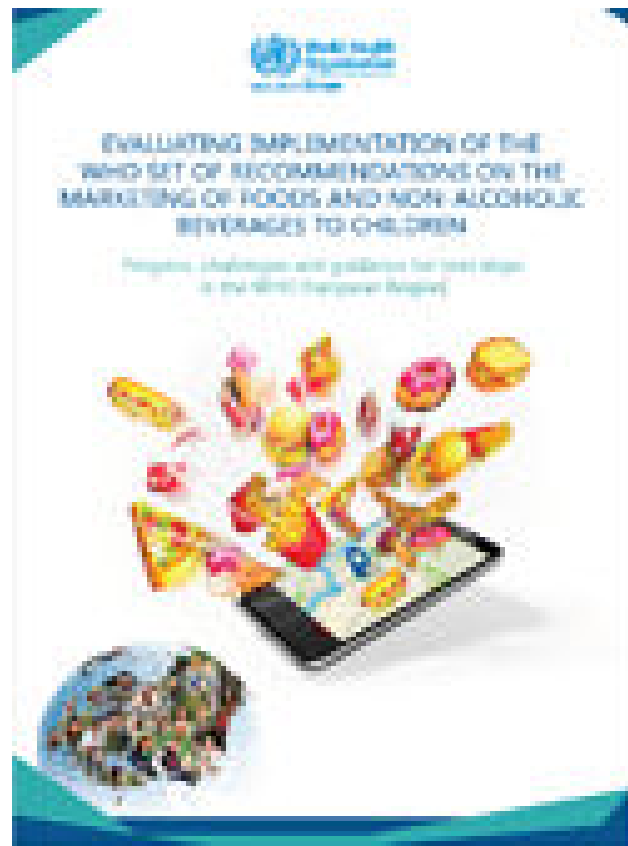


FOOD MARKETING RECOGNISED AS AN EU-WIDE PROBLEM

child health

child rights

THE FAILURE OF CURRENT EU RULES



FOOD MARKETING TO CHILDREN NEEDS RULES WITH TEETH

A snapshot report about how self-regulation fails to prevent unhealthy foods to be marketed to children.
Emma Calvert



Legislative reforms must be driven by **evidence**, not by a **dogmatic**, **misplaced belief in self-regulation**.

Need for **legally binding rules** protecting children from exposure to all forms of cross-border unhealthy food marketing.

TURNING RHETORIC INTO EFFECTIVE ACTION

- We have drafted a directive to demonstrate that the EU can – and should – adopt legislation based on existing evidence and which upholds the best interests of the child as a primary consideration
- Public health, consumer and children’s rights protection at the heart of this initiative
 - **DG Santé** must drive the process
- Directive compliant with the constitutional principles enshrined in the EU Treaties
 - Focus on **cross-border marketing** (attributed powers)
 - Focus on the **effectiveness** of the proposed measures (proportionality)

THE DIRECTIVE IN A NUTSHELL

1. end the marketing of nutritionally poor food between 6am and 11pm on **broadcast media**;
2. end the marketing of nutritionally poor food on **digital media**;
3. ending the **sponsorship** by food brands of events with cross-border effects, unless brands can prove that such sponsorship is not associated with nutritionally poor food; and
4. end the use of **marketing techniques appealing to children** for the promotion of nutritionally poor food;
5. a child is **any person below the age of 18**;
6. the definition of nutritionally poor food should be based on the **WHO Europe nutrient profile model**.

