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# Marketing Exposed

A Global Public Health Threat for Food Policy



**Global Health  
Advocacy Incubator**

Changing Policies to Save Lives



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The Global Health Advocacy Incubator (GHAI), **a program of the Campaign for Tobacco-Free Kids**, is a global public health non-governmental organization that supports civil society organizations who advocate for public health policies that reduce disease and death. Through the Bloomberg Philanthropies Food Policy Program GHAI serves as a catalyst for healthy food policy solutions.

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# Useful Acronyms

**ABACO:** Association of Food Banks of Colombia

**ANDI:** National Association of Industries (Colombia)

**CSOs:** Civil society organizations

**CSR:** Corporate social responsibility

**COI:** Conflict of interest

**FCTC:** Framework Convention on Tobacco Control

**FAO:** Food and Agricultural Organization

**FOPL:** Front-of-package labeling

**GAIN:** Global Alliance for Improved Nutrition

**GHAI:** Global Health Advocacy Incubator

**HFSS:** High-in fat, sodium and/or sugar

**IFBA:** International Food and Beverage Alliance

**NCDs:** Non-communicable diseases

**SUN:** Scaling Up Nutrition

**UPP:** Ultra-processed food and beverage product

**WHO:** World Health Organization



**“Power asymmetries also dominate food systems both within and among countries, and this has a disproportionate impact on certain communities that are subjected to aggressive marketing, often lack access to nutritious and affordable food options and face high rates of food insecurity.”**

- [Tlaleng Mofokeng](#),  
UN Special Rapporteur  
on the Right to Health

## Executive Summary

The marketing of unhealthy food and beverages is a complex political, social, historical, cultural and economic process that also represents a key driver of unhealthy environments. When the food marketers abuse their tremendous power to promote unhealthy products to vulnerable audiences, these business practices can lead to unethical behavior.

Chief among the offenders are the ultra-processed food and beverage product (UPP) marketers. They saturate the marketplace with junk products through tactics that are aggressive, insidious and everywhere. Their strategies go beyond the advertisements that are viewed online or on television. Consumers are ambushed with food marketing through the sponsorship of their favorite sports teams, the hidden product placements in their children’s educational shows and the free products that they receive at events. What is often viewed as innocent commercialism is actually corporate deception that promotes unhealthy diets and leads to negative consequences for human and planetary health.

The dangers are even more apparent when UPPs target children and adolescents who lack the developmental maturity to distinguish advertisements from entertaining or educational content. By focusing its marketing practices on the youth, the UPP industry is shaping social norms, displacing cultural diets, creating life-long eating preferences for its products, and damaging the health of children around the world.

The UPP industry is notorious for failing to take responsibility for its participation in creating an unhealthier planet. The industry instead places blame solely on the individual or the guardian of the child. UPP corporations exploit consumers through deception and undue influence, and also gain privileged spaces in policymaking tables. **This report shows how UPP marketing threatens public health by decreasing state action to regulate food environments:**

- **Reason #1** – *It generates a harmful domino effect by creating unhealthy food environments, burdening countries with sicker populations, and other negative results.*



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CORPORATE WASHING

CARBON NEUTRAL

- ***Reason #2 – It extends beyond advertising, promotion and sponsorship to include corporate washing that allows the industry to establish itself at the policymaking table while influencing vulnerable populations.***
- ***Reason #3 – It's aggressive, insidious and everywhere: it enables the industry to influence what consumers eat, displacing traditional foods from different cultures.***
- ***Reason #4 – It puts children and adolescents at risk of becoming victims of commercial exploitation due to the corporate saturation of unhealthy products in the market.***

This report aims to urgently expose the damage of the UPP industry's marketing strategies. This marketing promotes the consumption of UPPs. It also positions its brands to further an image of good corporate citizens to become a legitimate social actor. It also seeks to increase the public understanding of these strategies and the source of the problem. This report contains a summary qualitative analysis of more than 300 examples of corporate practices performed by the UPP industry obtained through public sources from more than 52 countries, highlighting the industry trends observed. Even though the analysis may not be exhaustive or comprehensive of all marketing strategies, it seeks to expose common industry trends through the samples selected worldwide, as these practices are mirrored in diverse countries and regions. All the information included in this report has been obtained through ongoing social listening, media monitoring, and direct observation from public sources.

The harmful and sophisticated marketing practices of the UPP industry require immediate and mandatory regulations. Governments around the world have failed to implement robust policies that provide reasonable protections to consumers. This report offers recommendations for governments and civil society organizations to help address this issue. Until adequate action is taken, the health and social effects of allowing the UPP industry to continue its risky marketing tactics can threaten global public health.



**“No research was funded by industry to cast doubt on the causes of maternal mortality. Mosquitoes do not have front groups, and mosquitoes do not have lobbies. But the industries that contribute to the rise of NCDs do. When public health policies cross purposes with vested economic interests, we will face opposition, well-orchestrated opposition, and very well-funded opposition.”**

- [Margaret Chan](#),  
former WHO General  
Director 2007-2017

## Introduction

Marketing strategies of ultra-processed food and beverage products (UPPs)<sup>i</sup> represent a key driver of unhealthy food environments, a modifiable risk factor for non-communicable diseases (NCDs).<sup>1,2,3,4</sup> NCDs such as diabetes, certain types of cancer and cardiovascular diseases are the leading cause of premature and preventable deaths globally. This is even more evident in low- and middle-income countries where the rates for cardiovascular diseases are growing at an alarming level.<sup>5,6,7</sup> However, interventions to address and prevent the harmful effects of marketing practices from the UPP industry have not been successfully implemented worldwide due to industry influence, lack of government intervention and their inherent complexity.

It is important to note that food marketing extends beyond the advertisements that consumers view. It is a complex political, social, historical, cultural and economic process. In addition, marketing practices are deeply intertwined with the globalized and capitalist structures that lead the world economy towards a consumer society.<sup>8</sup> Lastly, how the food is grown, distributed, marketed, and consumed also impacts society in multiple ways (food access, human and planetary health, disease prevalence, etc.).<sup>9</sup> When these two factors -food production and marketing-join forces under the current agribusiness model, they influence both food environments and society as a whole. The situation gets more concerning when the food is harmful to health yet marketed as

inexpensive and convenient. While the deceptive nature of food marketing undermines adequate nutrition to consumers, the corporations that make up a large portion of the global market share continue to increase their profits.

The marketing of UPPs is a public threat that goes beyond negative health outcomes. Globally, marketing strategies are establishing societal norms, eroding diets and displacing traditional food cultures. These strategies perpetuate unfair, inequitable, unsustainable and unhealthy food systems.<sup>10,11,12</sup> By marketing its products, the industry boosts public consumption of UPPs, which increases the production of these goods that negatively affect human and planetary wellbeing. Ultimately, this contributes to the current irreversible environmental emergency that threatens food security and sovereignty.<sup>13,14,15,16,17</sup>

The use of sophisticated advertising, promotion and sponsorship strategies in online and offline settings, leverages neuromarketing<sup>ii</sup> and new invasive technologies, which have normalized unethical practices that are aggressive, insidious and ubiquitous to target consumers. These practices can violate people’s right to privacy and exacerbate discrimination, targeting vulnerable populations such as children and adolescents, low-income groups, among other communities. By positioning UPPs and sweetened drinks as essential products, corporations are ensuring long-term profitability at the cost of

i Ultra-processed foods and beverages are industrially manufactured formulations of food substances, typically containing multiple additives and nutrients of concern, such as sugar, sodium, and fat, [“little to no whole foods, always contain edible substances not used in home kitchens and/or additives”, “These products are notoriously cheap, yield high profit margins, and are ubiquitously marketed globally, with few restrictions.”](#)

ii According to the Special Rapporteur in the field of cultural rights, neuromarketing is “the use of advances in the neurosciences to develop commercial advertising and marketing strategies. The neurosciences encompass all disciplines that study the nervous system, including biology, chemistry, genetics, computer science, and psychology. The aim is to send messages directly to the brain, thereby circumventing rational decision-making.” Source: [A/69/286, Par. 48](#)



their consumers' health.<sup>18,19,20,21</sup> These strategies create brand loyalty and manipulate the consumer through aspirational narratives that connect product consumption to overcoming threats and challenges for these populations.

Marketing of UPPs extends beyond advertising, promotion and sponsorship practices. It also encompasses a number of corporate washing tactics (corporate social responsibility, public-private partnerships, etc.) that allow the industry to capture and influence new, vulnerable audiences while also gaining privileged spaces in policymaking tables. These practices deployed by UPP corporations and their allies are highly persuasive. They often reinforce a misleading narrative about how the product supports a healthy lifestyle. It can also distract the public and policymakers from the human, social and environmental harm caused by their products and actions.

At the same time, through corporate washing, the UPP industry protects its products, brands and companies from compulsory regulation. The industry's actions increase its corporate profit which only amplifies its political power to interfere in the broader policy environment, including pushing ineffective corporate solutions such as self-regulation.

In addition to infiltrating the political arena, the UPP industry is grabbing the attention of children and youth who are highly susceptible to food marketing. Corporations allocate substantial resources to target children to build brand loyalty and consumption of these products which damage children's health. These marketing practices targeting children turn them into lifelong consumers in two ways. First, the industry starts its marketing efforts at a very early age through cartoons, toys, games, influencers

and other role models to hook children. Junk food companies also use schools as spaces to market their brands, leverage CSR to show commitments to childhood wellbeing and pledge to market their products responsibly through voluntary agreements. Second, through different advertising, promotion and sponsorship campaigns involving children, adolescents and young adults, the industry aims to attract and influence more consumers. It is common to see TV ads depicting children eating UPPs, like cereal, during children's programming, encouraging viewers to consume these products.

In conclusion, the marketing of UPPs is a complex issue that requires urgent and coordinated global attention and effective and comprehensive action. This report aims to unpack the harmfulness of UPP's advertising, marketing and sponsorship practices, understood broadly and including CSR practices intended to wash companies' images, maintain a positive reputation before different audiences and portray themselves as crucial actors in decision making.





**“Failure to regulate the activities of the food and beverage industry to prevent them from violating the right to health of others and protect consumers from practices detrimental to their health may amount to a violation of the right to health.(...) Therefore, States should ensure that marketing and advertising do not have adverse impacts on children’s rights by adopting appropriate regulation to ensure these industries use clear and accurate product labelling and information that allow parents and children to make informed consumer decisions.”**

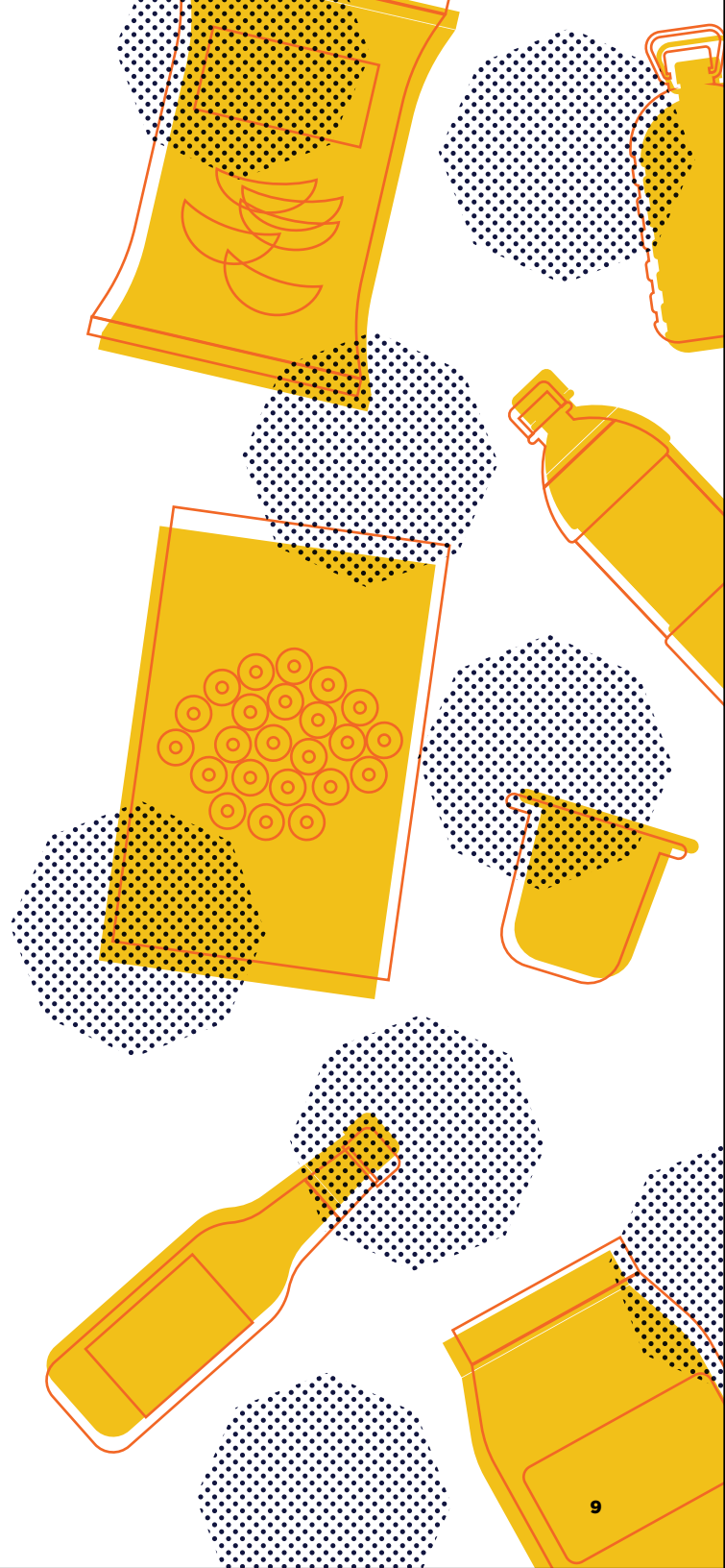
- [Former UN Special Rapporteur](#) on the Right to Health

## Methodology

GHAI collected examples from corporate practices of the UPP industry, including marketing practices, industry interference actions and actors with the potential to interfere in the development and implementation of healthy food policies around the world. The information gathered shows how the UPP industry’s use of marketing tactics harms human and environmental health as well as food policy formulation by positioning its products as a solution to a variety of social struggles, therefore avoiding compulsory regulations.

The report contains a summary qualitative analysis of more than 300 examples obtained through public sources from more than 52 countries, highlighting the industry trends observed. Even though the analysis may not be exhaustive or comprehensive of all marketing strategies, it seeks to expose common industry trends through the samples selected worldwide, as similar practices were observed in diverse countries and regions. All the information included in this report has been obtained through ongoing social listening, media monitoring and direct observations from public sources.

The report’s examples show four ways that UPP marketing causes harm. These examples also underscore the need to denormalize and regulate the industry’s marketing strategies. They also build upon the framework used in GHAI’s 2021 report titled, “[Behind the Labels: Big Food’s War on Health Food Policies](#),” which presented the **UPP industry playbook** to interfere in policymaking and set a broader policy environment favorable to its interests, including the following: **(1) overarching strategies** that reveals how the industry avoids regulations that could present a risk to the sustainability and profit of its businesses; **(2) industry narratives** used to promote these strategies, and to build support by the public, decision-makers, and new allies. Ultimately, these narratives help legitimize and protect its corporate behaviors and strategies; **(3) specific actions** used to advance these strategies and narratives. **(Image 1)** The following table illustrates the thread that connects this year’s analysis with last year’s report.



The following table illustrates the thread that connects this year's analysis with last year's report.

## Why ultra-processed product marketing threatens public health

**Reason #1:** It generates a harmful domino effect by creating unhealthy food environments, burdening countries with sicker populations, and other negative results.

**Reason #2:** It extends beyond advertising, promotion and sponsorship to include corporate washing that allows the industry to establish itself at the policymaking table while influencing vulnerable populations.

**Reason #3:** It's aggressive, insidious and everywhere: it enables the industry to influence what consumers eat, displacing traditional foods from different cultures.

**Reason #4:** It puts children and adolescents at risk of becoming victims of commercial exploitation due to the corporate saturation of unhealthy products in the market.

## Industry Strategies from Behind the Labels Report



**Industry strategy #2:** Influence policies at all levels to delay implementation and threaten countries with legal and economic concerns.

**Industry strategy #3:** Divert attention from its corporate responsibility on the damage to environmental and human health to blame individuals for their behaviors.

**Industry strategy #5:** Seek loopholes in regulations to promote ultra-processed products.

**Industry strategy #1:** Protect the UPP industry's reputation and brands through corporate washing.

**Industry strategy #4:** Imply that its products and brands contribute to a healthy lifestyle, the environment, culture, society, children's growth, families and friendship while gaining influence in the development and implementation of healthy food policies.

**Industry strategy #3:** Divert attention from its corporate responsibility on the damage to environmental and human health to blame individuals for their behaviors.

**Industry strategy #1:** Protect the UPP industry's reputation and brands through corporate washing.

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**Industry strategy #4:** Imply that its products and brands contribute to a healthy lifestyle, the environment, culture, society, children's growth, families and friendship while gaining influence in the development and implementation of healthy food policies.



“Agricultural, economic, trade, environmental, and international development policies create incentives, and disincentives, for the production of particular types of food. Rural development, urban planning, and transport policies affect what food reaches which consumers and at what price.”

- [Branca F et. al](#)

## Definitions

*To navigate this report, some relevant definitions are needed to connect food marketing, and the way the private sector contributes to the detriment of public health.*

**Ultra-processed food and beverage product industry:** UPP industry refers to the conglomerate of major transnational corporations that widely manufacture and distribute UPPs across the globe. This term also comprises indirect business allies, national, regional and transnational trade associations, front groups, academic experts, individual spokespeople or institutes with industry ties, and some CSOs that push the industry’s agenda. The “UPP industry” and “the industry” concepts will be used interchangeably throughout the report.

**Corporate washing:** It is an umbrella term used to describe the process of conveying a false impression or providing misleading information about a company’s mission, products or processes. These actions serve to polish industry image, distract the public and generate a shield against criticism. Most frequent examples from the UPP industry include green-washing (environmental pledges, promotion of plant-based UPP, etc.), social-washing (promises around protecting labor rights, human rights, youth, small businesses, etc.), pink-washing (support of the LGBTQ+ community), nutri/health washing (generating a halo around UPP products and brands, and representing a legitimate voice on public health issues, etc.), and blue washing (companies leveraging their association with the United Nations [“to enhance their image and shift attention from their controversial business practices.”](#))<sup>22,23,24,25,26,27,28,29</sup>

**Commercial determinants of health:** These are “the ways in which actors (through market and nonmarket strategies) and structures (stratification, systems, organization, culture and regulatory frameworks and governance) operate to generate profit, and thereby influence patterns of health, disease, injury, disability and death within and across populations.”<sup>30</sup> More simply, commercial determinants of health could be defined as “strategies and approaches used by the private sector to promote products and choices that are detrimental to health.”<sup>31</sup> The term is also associated more broadly with **negative externalities**, which can be defined as “adverse consequence[s] of economic activity experienced by a party that was not directly involved in the activity (e.g., as a producer or consumer).”<sup>32</sup>



**Corporate capture:** When corporations exert significant and undue influence over public institutions, decision-making processes and policy outcomes. In such situations, evident with food and beverage companies on a global basis, industry is able to use its political influence to manipulate regulatory agencies, law enforcement entities, and legislatures. This corporate capture is characterized by business and industry groups having privileged access to policymaking processes, communications and decision-making not happening in a transparent or public way, revolving doors and conflicts of interest and regulated industries able to control decisions made by their regulators. The outcome of corporate capture is that policies and regulations are in industry's interests and often not in the public interest. While these practices are generally legal, they undermine the integrity of public institutions and public trust in democratic decision-making processes.<sup>33</sup> Corporate capture represents a manifestation of the current power structures and inequalities that are occurring at a global scale and leads to “the global expansion of corporate autonomy [that] compromises government’s capacity to promote equality and health.”<sup>34</sup>

**Corporate autonomy:** The ability of a corporation to “establish its internal and external decision rules, its freedom to act according to its own rules, and its power to sanction non-conformist behavior in its sphere of influence.”<sup>35,36,37</sup> This “allows corporations the freedom to prioritize their interests at the expense of public interests, including public health.”<sup>38</sup>

**Marketing:** The World Health Organization (WHO) has defined it as “any form of commercial communication or message that is designed to, or has the effect of, increasing the recognition, appeal and/or consumption of particular products and services. It comprises anything that acts to advertise or otherwise promote a product or service.”<sup>39</sup> Following the definitions included in the WHO Framework Convention on Tobacco Control (FCTC)<sup>40</sup>, advertising, promotion, and sponsorship could be defined as follows:

- **Advertising and promotion** mean any form of online or offline commercial communication, recommendation, or action, with the aim, effect, or likely effect of promoting a brand, a company, a product or its use, either directly or indirectly. Advertising is associated with the most traditional offline forms of marketing



such as TV or radio ads, print media, billboards, point-of-sale displays or product packaging, vending machines, but also with the online ads such as social media or delivery apps, the use of *influencers*, product placement in movies or computer games, and many others. Promotion could entail free samples of products, gifts or contests associated with products or brands, vouchers, loyalty schemes, among many others.<sup>41</sup>

- **Sponsorship** means any form of online or offline contribution to any event, activity, or individual with the aim, effect, or likely effect of advertising, promoting, or sponsoring a brand, a company, a product or its use, either directly or indirectly. To illustrate what sponsorship entails, it's useful to think about corporations' presence in schools, through meal programs, educational materials or equipment, or the sponsorship of sports events or sport teams.<sup>42</sup> However, sponsorship could get more complex since many times it is associated with CSR actions that, as explained in the introduction, could serve as corporate washing practices.

**Corporate Social Responsibility (CSR):** “The concept that companies should make a positive contribution in their society by bettering the well-being of their community through environmental work, charity work, ethical labor practices or volunteer projects. Some companies use charitable spending more tactically to try and project influence, distract consumers from the harm caused by elements of the business or associate themselves with good causes.”<sup>43</sup> Even though CSR is not something new, the COVID-19 pandemic provided these actors with the unique opportunity to portray themselves as good citizens (while opposing and weakening healthy food policies), leveraging multiple CSR initiatives that allowed them to be seen as part of the solution for the public health emergency.<sup>44</sup>

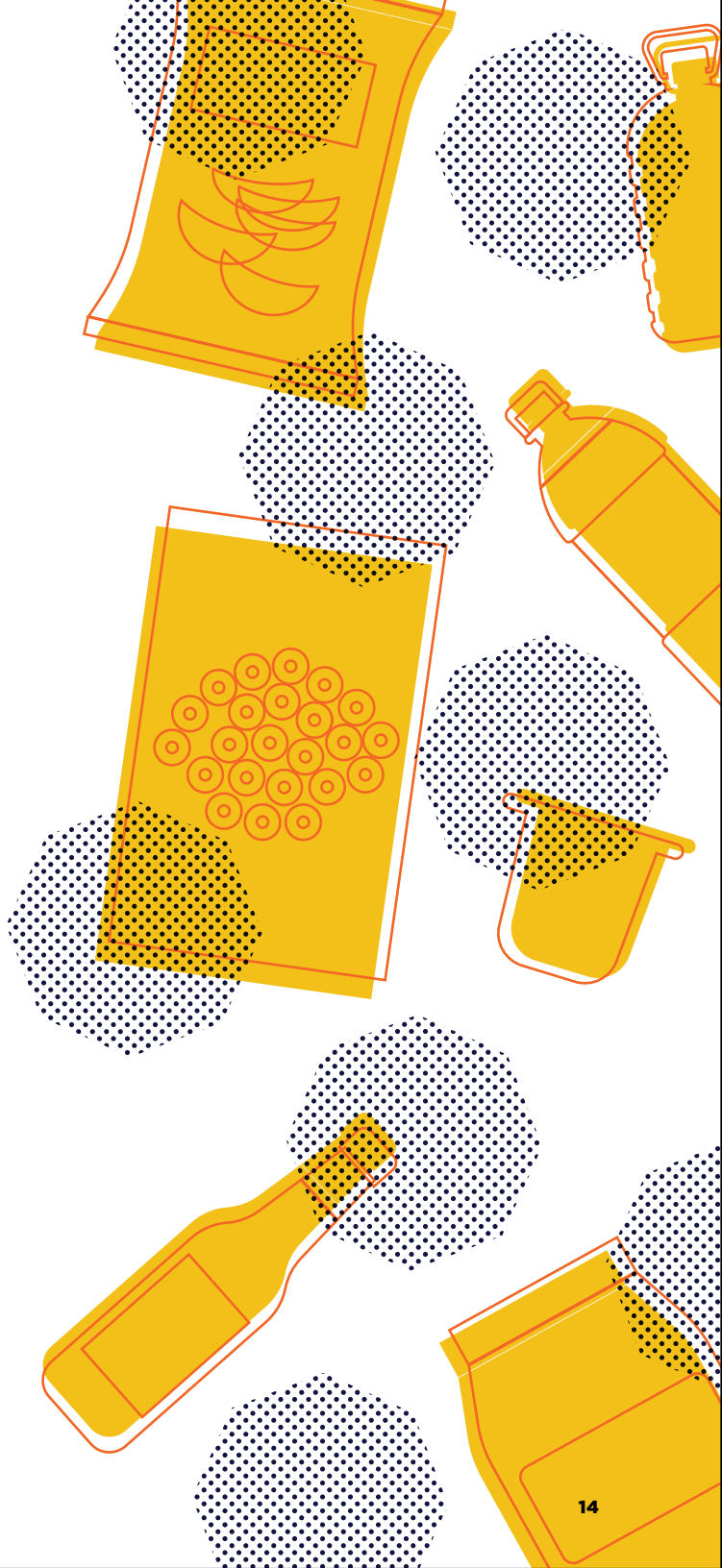
- **Public-private partnerships:** A formal relationship or informal engagement between the public sector and the private sector for the purpose of delivering a project or a service. The public sector is typically represented by a government agency at a local, state and/or national level. The private sector can be a public corporation, privately-owned business, or grouping of companies. This model has proliferated in the field of healthy food and nutrition policies at global and national levels, but the industry has “divert[ed] resources from public actions and distort[ed] public agendas in ways that favor private companies”<sup>45</sup> and allowed non-state actors to “exercise instrumental, structural, and



discursive power behind the scenes through the use of visible and less visible means at the global political arena.<sup>146</sup> These partnerships “reflect a shift in authority away from states in favor of non-state actors, raising issues about legitimacy” and evidence “the increased privatization of global nutrition governance and the importance of power analysis to uncover the normative contestations and asymmetries of power behind global partnership creation.”<sup>147</sup>

- **Multi-stakeholder initiatives:** These partnerships or platforms could be defined as initiatives that “bring together a variety of actors (‘stakeholders’) that are identified as having a stake (i.e., an interest) in a certain issue and should therefore play a role in addressing it.”<sup>148</sup> Multi-stakeholder initiatives usually bring together public authorities, CSOs, private sector actors, research institutes, private foundations, academia and many more. However, even though they were seen as a vehicle of the Sustainable Development Goals, FIAN International has highlighted some key failures of the model, including the following: multi-stakeholder initiatives give an “illusion of inclusiveness and democratic governance” while also “enhancing access for companies to policymaking & legitimizing their role in governance.” These initiatives avoid structural changes and focus on narrow and temporary solutions, sideline fundamental voices in the discussion, fragmentate global governance and perpetuate the “lack of transparency and erosion of accountability” while the private sector monopolizes power.<sup>149</sup>

**Product reformulation:** It is defined by the WHO as “the process of altering the processing or composition of a food or beverage product, to improve its nutritional profile or to reduce its content of ingredients or nutrients of concern.”<sup>150</sup> However, reformulation represents an alternative for the UPP industry to keep commercializing products that have adverse consequences on human and planetary health.



“... [C]ompanies, in particular transnational corporations, have gained such power that one [assumes] will only manage to achieve changes (including the improvement of poor company behavior) when they are invited to the table and become ‘part of the solution’.”

- [Sofía Monsalve Suárez](#)

## Key findings: How marketing of ultra-processed products undermines public health

GHA1 identified four main reasons that support the urgent need to regulate the harmful advertising, promotion and sponsorship practices by the UPP industry. These four areas show the damage of these marketing practices and highlight the fundamental reasons why industry must be made accountable for its insidious behavior.

**Reason #1 – It generates a harmful domino effect by creating unhealthy food environments and burdening countries with sicker populations, and other negative results.**

The marketing practices of UPPs are a highly influential determinant to creating unhealthy food environments which often lead to lifelong health consequences. Without adequate government regulations, the UPP industry will continue to negatively influence food preferences and consumption. The industry’s marketing can be subtle. It hides behind promises to fulfill consumers’ desires or needs. It also minimizes its involvement in health risks by shifting the responsibility to consumers. By placing the burden of NCDs on individuals, the UPP industry makes consumers believe it is their responsibility to make healthy choices. This masks their role in shaping obesogenic environments where healthy choices are harder to find. The industry also tries to dilute healthy food policies through legal and economic arguments, while positioning self-regulation as the solution. This perpetuates the existence of negative externalities whose burden is on governments and populations. For instance, the International Food and Beverage Alliance (IFBA) – a global trade association that gathers the most powerful multinational UPP companies – has recently increased the age threshold for marketing directed to children from 12 to 13 years old through its voluntary

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commitment. This practice has provoked a cascade of companies' self-regulation standards, allowing them to show off to the public their responsible marketing promises, which are ineffective in protecting the population from harmful marketing practices and are promoted by the industry as alternatives to mandatory policies. (Images 5-9)

**Reason #2 – It extends beyond advertising, promotion and sponsorship to include corporate washing that allows the industry to establish itself at the policymaking table while influencing vulnerable populations.**

The industry leverages social, economic, nutritional, health, gender, cultural and environmental causes through multiple brand-washing activities. What the industry promises and pledges is very different from what it does. The industry positions itself as an essential actor to any solution related to hunger, malnutrition in its multiple forms and climate change. It takes advantage of the **food systems** narrative and provides governments and populations with an illusion of support to solving social problems. CSR opens the door for corporate capture opportunities. These occur within private and public arenas (clear conflicts of interests). Corporate actors also frequently engage in public-private partnerships and multistakeholder initiatives. These platforms enable the UPP industry to leverage the lack of government regulations to position itself as the population's protector, to clean its image before different audiences, and to promise improvements in the quality and healthiness of its products. One clear illustration is green washing by Coca-Cola, one of the largest worldwide plastic polluters. The company has been pledging recycling efforts since the 1990's, but it has "consistently broken, delayed and reworded its commitments" with no real change.<sup>51</sup> At the same time, it leverages relationships with governments, CSOs working in climate change, and other key actors, ignoring the inherent adverse climate effects of UPPs.<sup>52</sup> (Images 20 & 24)





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**Reason #3 – It’s aggressive, insidious and everywhere: it enables the industry to influence what consumers eat, displacing traditional foods from different cultures.**

Adequate nutrition is a human right. However, not only corporations have positioned UPPs as convenient and easily accessible, but they have also transformed food (including water) into a commodity. Marketing has allowed UPPs associated with harmful health effects to penetrate remote communities globally. This undermines food traditions, culture and sovereignty, and also alters people’s food choices and consumption. For instance, Maggi -a Nestlé brand- launched a campaign in Colombia called “Maggi with a Flavor of Colombia”, claiming to rescue – through UPPs – the cultural diversity of the country’s regions. (Image 32) In addition, UPP production is associated with land grabbing issues in many countries around the world, and promotes monoculture associated with the use of pesticides. This is causing biodiversity and soil fertility loss, directly affecting small farmers and rural communities.<sup>53,54,55,56</sup> The marketing of UPPs has been a vehicle to exert pressure on the market to follow the intentions of private actors disregarding the common good. Private actors are defining the rules of the game. This is done at the expense of entire populations. Coincidentally, governments are providing companies with fiscal incentives and privileged spaces in the policymaking tables which is having expansive effects on the way people relate to food, being intertwined with structural and systemic inequalities.

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**Reason #4 – It puts children and adolescents at risk of becoming victims of commercial exploitation due to the corporate saturation of unhealthy products in the market.**

The goal of food marketing is to influence consumers. When marketing is targeting children, it exposes them to diverse forms of exploitation related to data access, use and abuse of children’s imagery. It also compromises their developmental vulnerabilities.<sup>57</sup> Developmentally, children and adolescents are unable to distinguish messages with persuasive intent, such as marketing content, from other types of narratives or information.<sup>58</sup> So, they take advertising messages at face value. By pivoting its marketing practices on the youth, the UPP industry also builds brand loyalty at a

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very young age. Ultimately, this shapes social norms, erodes cultural diets, creates life-long eating preferences and damages the health of children around the world.

The UPP industry **intentionally manipulates and leverages the disadvantaged position of children and adolescents to obtain profits and satisfy its own needs, configuring a way of commercial exploitation.**

It does this by using sophisticated marketing strategies to promote its products and boost a consumerist culture from a very early age. The exploitative nature of UPP marketing also relates to how companies “exploit the poor discernment of children,”<sup>59</sup> their imagery, and their “developmental vulnerability.”<sup>60</sup> This is a blatant disregard for the specific protection they deserve from commercial practices based on international law standards, such as the Convention on the Rights of the Child (CRC).

It is a concerning fact that unhealthy commodity industries make enormous profits from marketing their products to children and promoting addictive behavior.<sup>61</sup> The industry uses “predatory commercial practices”<sup>62</sup> aimed at establishing close connections with children and youth in different ways such as sponsoring school programs, physical activity initiatives, designing flashy packaging of junk foods, positioning brands in online games or TV shows, using celebrities or social media influencers (even kids!), and many other strategies. **(Images 33-39)** All created in a way so that it can position itself as children’s protectors and as essential for their growth, good health and adequate nutrition.

Through these empty pledges positioned as alternative solutions to public policy, as noted in the reason #1, the industry is allowed to define “who” qualifies as children, what are “responsible marketing practices,” among other discretionary standards. It does this while also directing efforts to ensure that mandatory marketing regulations or bans are not passed at the country level.<sup>63,64,65</sup> These companies’ greed and profit orientation plus the marketing complexity demonstrate that the marketing to children criterion is not sufficient to protect this group from corporate action. While research on feasible and comprehensive alternatives is desperately needed, these must be decided in a more scientific, and less political, way to effectively protect public health.



# Global examples of the **UPP** industry's marketing strategies that undermine public health



The sample actions selected demonstrate corporate practices that cover advertising, promotion and sponsorship strategies. They also illustrate normalized industry activities that seek to weaken regulatory scenarios and influence the spaces where food and nutrition policies are decided (for example, public-private partnerships that allow the industry to gain a privileged space in the public arena). Likewise, the findings will include examples of actions and arguments tending to interfere in the adoption of effective policies. Please note the following considerations:

- Often industry examples may overlap and connect with one another, so the categorization was discretionally made based on which area of UPPs marketing harms was most pertinent.
- Likewise, it is necessary to understand the regulatory scenarios of food and nutrition policies in a comprehensive and connected manner. If a policy is weakened or if a company has a close relationship with the government, the scenario will likely make it difficult to pass other measures due to the power of the UPP Industry.

Many times, the industry focuses on alternative options to mandatory public policies such as educational interventions or awareness campaigns. While these measures are essential to address the modifiable risk factors of NCDs, they are not sufficient to replace regulations based on scientific and independent evidence but complementary to those. ►





# 1

**Reason #1 – It generates a harmful domino effect by creating unhealthy food environments, burdening countries with sicker populations, and other negative results.** This reason is connected to the following industry strategies:

**Industry strategy #2:** Influence policies at all levels to delay implementation and threaten countries with legal and economic concerns.

**Industry strategy #3:** Divert attention from its corporate responsibility on the damage to environmental and human health to blame individuals for their behaviors.

**Industry strategy #5:** Seek loopholes in regulations to promote ultra-processed products.

## Industry Tactics

The UPP industry puts the burden of NCDs on individuals through arguments of moderation, calories-in/calories-out, and/or physical activity and educational initiatives rather than unhealthy environments shaped by corporate practices.

## Sample Actions

**CENTRAL AMERICA:** A Nestlé article provides tips for incorporating healthy habits. Among them, there are arguments associated with moderation, spending more calories than we consume through physical activity. Its narrative fails to discuss the influence of advertising practices and other environmental influences on individual habits. (Image 2)<sup>66</sup>

**EUROPE:** The Organization Consumers Choice published a study about junk food marketing restrictions as a paternalistic movement in Europe. The report recommends “encouraging parental responsibility,” promoting physical activity to fight obesity and “abstaining from introducing ad and marketing bans on the EU and member state level,” ignoring the impact of unhealthy environments. (Image 3)<sup>67</sup>

**ARGENTINA:** Spokespeople from the UPP industry advocated for increasing food education instead of public policies in the days leading up to the implementation of the healthy eating law in the country.<sup>68,69</sup>

**ECUADOR:** The National Association of Food and Beverage Manufacturers tweeted its intention to carry out educational activities on having a conscious diet and a balanced lifestyle instead of supporting policy changes.<sup>70</sup>

**SALVADOR:** Nestlé presented the image of its Fitness cereal, aimed at all who seek to enjoy an active life and the perfect balance between flavor and nutrition. This emphasized its purpose of developing all the power of food to improve the quality of life today and for future generations.<sup>71</sup>

**SPAIN:** Coca-Cola promotes its merchandising promoting physical activity, although its product is historically associated with diabetes and other diseases.<sup>72</sup>

**SOUTH AFRICA:** The Beverage Association of South Africa, which brings together companies such as PepsiCo, Coca-Cola, among others, has implemented #ActiveFridays to encourage physical activity. (Image 4)<sup>73</sup>



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## Industry Tactics

The UPP industry weakens policy scenarios and positions alternative solutions to compulsory public health policies such as self-regulatory schemes, voluntary agreements or leveraging legal and economic fearmongering arguments.

## Sample Actions

**GLOBAL:** Unilever, Nestlé, PepsiCo and Kellogg’s are leading the industry voluntary initiative on responsible marketing to children. As part of such efforts, Unilever launched its document “Principles on Responsible Food & Beverage Marketing to Children,” in which they argue to comply with the agreements of IFBA, having increased the age threshold for marketing to children from 12 to 13 years old to raise the standards of responsible marketing across the industry. Nestlé also raised industry standards in marketing to children as a contributor to the updated IFBA Global Responsible Marketing Policy, restricting the marketing of indulgent products to children under 13 years old and extending existing marketing limitations in primary schools to secondary schools. Moreover, the industry modified its narratives of its global operational reports to incorporate its self-assessment regarding the promotion and respect of human rights. For example, Ferrero published in 2022 its first report on compliance with human rights in relation to: child protection and no child labor, forced labor, diversity and inclusion, health and safety, privacy, environmental related human rights issues, rights relating to consumer health and responsible marketing tied to the IFBA’s commitment, among others. [\(Images 5-9\)](#)<sup>74,75,76,77,78,79</sup>

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**ARGENTINA:** While the healthy eating law was passed last year in Argentina, including marketing regulations on products that are high-in fat, sodium and/or sugar (HFSS), the CEO of Coca-Cola Argentina acknowledged that FOPL is an important regulation but “must seek the common good without generating negative effects on the food and beverage industry.” Coca-Cola is a source of employment for thousands of Argentines and strategic partners in the export of national products to the world. Moreover, industry representatives claimed that the regulation is restrictive and will not help nutrition but be punitive on their products. Related to this, a media article mentioned that the industry could choose to legally sue the healthy eating law with arguments of unconstitutionality or even alleging infringements of trademark and intellectual property rights. [\(Image 10\)](#)<sup>80,81, 82</sup>

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**BRAZIL:** The industry attacked Law No. 13257, which establishes principles for the creation and implementation of public policies for early childhood. This forced the withdrawal of article 2, which prohibited “advertising aimed at children in the media, especially television and radio broadcasting, between 8 am and 6 pm.” Even though there are current provisions that aim to protect children from marketing in the Brazilian legal system, companies could continue to violate the legislation and intend to weaken stricter standards. [\(Image 11\)](#)<sup>83</sup>





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## Industry Tactics

The UPP industry weakens policy scenarios and positions alternative solutions to compulsory public health policies such as self-regulatory schemes, voluntary agreements or leveraging legal and economic fearmongering arguments.

## Sample Actions

**INDONESIA:** Nestlé is using its Healthy Choice label to partner with the Indonesian government and advertise UPPs – aggressively targeting mothers with claims that “Mothers always want to make sure they offer healthy options for their beloved family. This includes compliance with daily nutrition. (...) Therefore, you need to carefully choose the food and drinks you will bring to your family’s dining table.” This sort of corporate solution – like positive labeling – is put up against independent evidence-based public health policies, endangering the development of healthy food measures. (Image 12)<sup>84</sup>

**MEXICO:** Various news articles highlighted how companies used investor-state dispute settlement to influence policymaking in the country, referring to the FOPL standard implemented in the country. It explains how the industry used aggressive lobbying, marketing and manipulation of public opinion, among other tactics, to debilitate the law and pressure the government to give up on its public health objectives. Moreover, powerful companies have not complied with the technical FOPL standard. (Image 13)<sup>85,86</sup>

**SPAIN:** As a result of the imminent ban on advertising unhealthy products in traditional and digital media (including influencers) in the country, numerous criticisms of the regulatory efforts appeared in the media. The complaints included that educational initiatives are more effective than advertising restrictions, and that childcare is the exclusive work of parents (ignoring the different social realities). For its part, the Spanish Association of Advertisers positioned its self-regulatory code, knowingly ineffective, as a “balanced response” to the regulatory needs in the field of food and drink advertising aimed at minors.<sup>87,88,89,90,91</sup>

**UK:** As the government advanced with strong marketing regulations on online and offline ads of products HFSS, the head of Lifestyle Economics claimed that the government was trying to impose limits on “perfectly normal food and drink products” and that such regulation “will permanently exclude businesses large and small from the primary marketing medium of our time.”<sup>92</sup> Moreover, Kellogg’s legally challenged government regulations on marketing of junk food products – specifically those high in fat, sugar and sodium. The company argued that the restrictions failed to consider that consumers eat its products with milk or yoghurt, which elevates the profile of its products and would not be considered junk. (Image 14)<sup>93,94</sup>



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**Industry strategy #5:** Seek loopholes in regulations to promote ultra-processed products.

## Industry Tactics

They argue the private sector is a key player in the development and implementation of public policies and food/health governance.

## Sample Actions

### GLOBAL:

- Multinational companies such as Coca-Cola, Unilever and Mondelez have made a call to action for a binding international agreement to tackle plastic pollution. [\(Image 15\)](#)<sup>95,96</sup>
- Corporate Accountability expressed concerns about the lack of disclosure of corporations like Coca-Cola, PepsiCo, and McDonald's of the amounts they spend to influence "politics and policies of food, nutrition, and public health outside of the U.S." They continued by saying that neither their spending on "outside research and charity, nor trade associations and groups are pushing the industry's interests globally."<sup>97</sup>
- FAO is establishing close collaboration with the corporate sector, including the International Fertilizer Industry Association and CropLife International, a global trade association whose members include Bayer and Syngenta, some of the largest seed and pesticide companies worldwide. [\(Image 16\)](#)<sup>98</sup>
- The emergence of multi-stakeholder initiatives as relevant nutrition policy platforms with strong industry ties has threatened the advancement of robust food policies in many regions of the world. The UN Special Rapporteur on the Right to Food confirmed that Scaling Up Nutrition (SUN), a multi-stakeholder platform, had "no careful management of corporate involvement to ensure that it is confined to implementation, without influencing public health and nutrition policymaking". Another multi-stakeholder initiative, the Global Alliance for Improved Nutrition (GAIN), promotes food fortification and government solutions that are ineffective as stand-alone policies.<sup>99,100,101</sup>

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**COLOMBIA:** The National Association of Industries (ANDI) and the Association of Food Banks of Colombia (ABACO) presented a study on the nutritional situation in the country and 25 recommendations to eradicate hunger. Based on this study, the government and the World Food Program (WFP) launched the challenge "Traceability of agri-food chains," to find solutions that contribute to food security in the country and in the region. [\(Image 17\)](#)<sup>102</sup>



# 2

**Reason #2** – It extends beyond advertising, promotion and sponsorship to include corporate washing that allows the industry to establish itself at the policymaking table while influencing vulnerable populations. This reason is connected to the following industry strategies:

**Industry strategy #1:** Protect the UPP industry’s reputation and brands through corporate washing

**Industry strategy #4:** Imply that its products and brands contribute to a healthy lifestyle, the environment, culture, society, children’s growth, families and friendship while gaining influence in the development and implementation of healthy food policies.

## Industry Tactics

Private actors portray themselves as contributors to overcoming the food, health and environmental crisis, positioning themselves as part of the solution to hunger, NCD-related malnutrition and social emergencies.

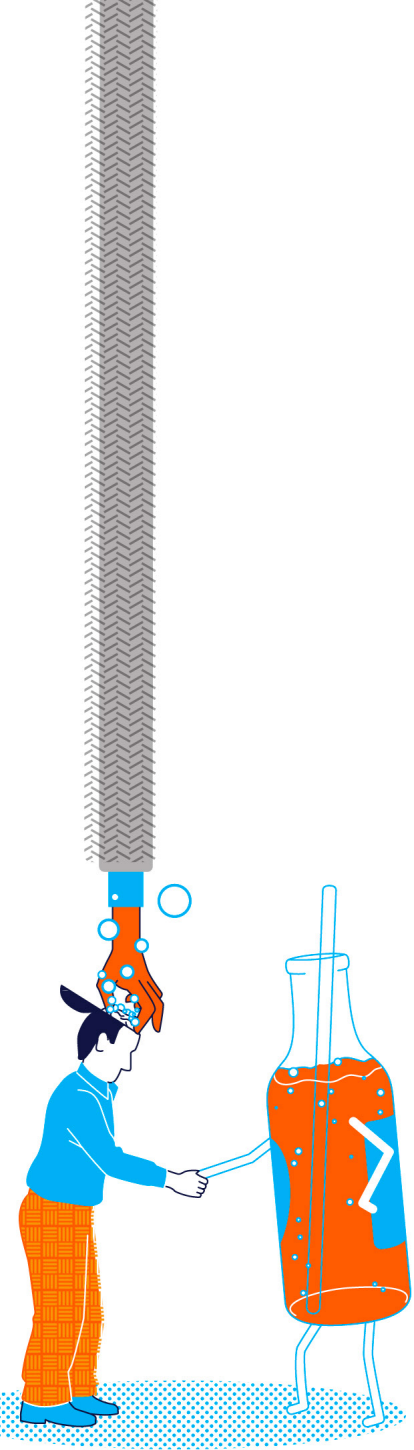
## Sample Actions

**ARGENTINA:** Days before the FOPL went into effect, many companies began showing CSR efforts. Danone, Carrefour and the Food Bank of Buenos Aires joined forces to combat food waste and promised the “rescue” of products to be donated. (Image 18)<sup>103,104</sup>

**INDIA:** While the country is discussing healthy nutrition policies, Nestlé inaugurated the Nestlé Healthy Kids program in partnership with the National Institute of Food Technology Entrepreneurship and Management. Its goal was to create awareness of nutrition and lifestyle among adolescents. Moreover, according to a Global Data report, Nestlé announced a \$2 million USD donation to provide “food and essential groceries to the needy”. (Image 19)<sup>105,106</sup>

**PAKISTAN:** Following the devastating floods, PepsiCo Foundation launched the “Millions of Meals” program to distribute food across impacted areas, portraying themselves as essential for the solution.<sup>107</sup>

**UKRAINE:** Red Cross and Coca-Cola partnered to promote corporate volunteering and youth development during the Ukraine - Russia conflict. However, the article that highlights the collaboration shows an advertising claim in the picture. (Image 20)<sup>108</sup>





# 2

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## Industry Tactics

The industry directs efforts to be seen as an environmental protector and a major contributor to reducing climate change and improving agricultural and production methods across the food systems.

## Sample Actions

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**GLOBAL:** Both Nestlé and PepsiCo promise sustainable practices and to decrease carbon emissions globally. Nestlé created a specific institute of Agricultural Sciences to identify promising technologies. The goal is to combine science-based solutions to improve agricultural raw materials’ nutritional and sensory qualities. PepsiCo also announced a global transformation of its business around three pillars: agriculture, value chain, and positive brands. (Image 21)<sup>109,110,111</sup>

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**EUROPE:** Nestlé’s Earth Foundation launched the eco score labeling system, which entails a new digital and physical label that aims to provide consumers with information about its products’ environmental impact. (Image 22)<sup>112</sup>

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**AFRICA:** Coca-Cola launched “JAMII,” a new sustainability platform in the continent to build on economic empowerment of women and youth, water and waste management. However, the industry has rejected using less water for commercial use in the region.<sup>113</sup>

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**ARGENTINA:** Coca-Cola has partnered with different municipalities in the country to install “Eco points” during the holidays in strategic places to collect recyclable materials and do cleaning activities.<sup>114,115</sup>

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**THAILAND:** Nestlé, one of the country’s greatest polluters, launched the “Every Little Act Matters” campaign to inspire people to start changing their behavior and perform small acts based on eco-friendly ideas in everyday life. (Image 23)<sup>116,117</sup>

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**USA:** Many of the Super Bowl ads were accused of greenwashing by the food and automobile industries due to their environmental and sustainability overtones.<sup>118</sup>

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**UK:** A new educational program from Nestlé Waters aims to inspire young people to become recycling ambassadors. The program claims to support students between 7-14 to develop their skills and passion for making positive change in their school communities, at home, and beyond with sustainable action plans that encourage and become active citizens. The initiative also includes “virtual school trips” to explore a wind farm, a dairy farm and a factory.<sup>119</sup>

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**VIETNAM:** Coca-Cola and The Ocean Cleanup selected the Càn Though River in the city of Càn Thó, Vietnam, as one of 15 locations on the river around the world to address plastic pollution and carry out a clean-up project with advanced technology. (Image 24)<sup>120</sup>



# 2

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## Industry Tactics

The industry directs efforts to be seen as a protector of social and cultural diversities, minorities, movements and vulnerable populations.

## Sample Actions

**GLOBAL:** PepsiCo’s foundation and CARE, a global NGO that fights poverty, promoted the “She Feeds the World,” program that will reach five new countries. This program reinforces the commitment to encourage the development of five million women farmers and their families in 5 countries.<sup>121</sup> While marketing these good intentions, CSOs worldwide claims the companies impact land rights and contribute to hunger, especially among women.<sup>122,123</sup>

**ARGENTINA:** Nestlé launched a program in collaboration with the National Technological University and other actors to train 40 young people interested in coffee. This program promises to promote the development of jobs linked to it.<sup>124</sup>

**PANAMA:** Nestlé, through its UPP Maggi, Klim, Ideal, is alleged to contribute to families’ nutrition through the Food Bank of Panama. Since 2015, the company has donated one million servings of food.<sup>125</sup>

**PERU:** Bimbo organized and promoted the Global Energy Race. Through its efforts, the company donated 20 slices of Iron Fortified Bimbo Rendidor bread for each race registrant to different non-governmental organizations (NGOs) that assist vulnerable populations. The company ultimately donated 700,000 slices to NGO, under its motto of delivering “delicious food and nutrition in everyone’s hands.” (Image 25)<sup>126</sup>

**SOUTH AFRICA:** PepsiCo’s newly formed Kgodiso Development Fund pledged to benefit local farmers. The five-year R600-million (US\$38.4m) fund was established as one of PepsiCo sub-Saharan Africa’s public interest commitments made to the government at the time of the acquisition of Pioneer Foods, a South African UPP company.<sup>127</sup>

**SPAIN:** McDonalds leveraged the devastating fires to prepare an iconic cause-marketing campaign to support the impacted farmers called “The Burger That Could Not Be.” The company allowed customers to purchase a virtual burger through a donation at digital kiosks. (Image 26)<sup>128</sup>

**USA:** Building on the insight that Kellogg’s cereal has been a staple on breakfast tables of Latina moms for generations, Leo Burnett Chicago helped develop Kellogg’s its first Spanglish campaign called: “On Moms’ tables Aquí y Allá” – which means “On Moms’ tables here and there” – to celebrate the longstanding emotional relationship with the storied brand. Around the same time, teen activists claimed the company lacked transparency when it came to the health claims of its products. (Image 27)<sup>129,130</sup>



# 2

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**Industry strategy #4:** Imply that its products and brands contribute to a healthy lifestyle, the environment, culture, society, children’s growth, families and friendship while gaining influence in the development and implementation of healthy food policies.

## Industry Tactics

**The industry performs practices of health and nutri-washing, including UPP reformulation.**

## Sample Actions

**GLOBAL:** Bimbo has proposed by the end of 2022, that 81% of the best-selling products aimed at children comply with one of the following options: portion control, line extensions with improved nutritional profiles or in compliance with the maximum levels of nutrients to limit in the diet, considering alleged different nutrition requirements between children and adults, pledging to define stricter standards in those products aimed at children.<sup>131</sup> This type of practice allows companies to reformulate unhealthy products to market them under “healthy halos.”

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**SOUTHEAST ASIA:** Coca-Cola partnered with Grab (a ride app) to “strengthen brand love for Grab and Coca Cola.” It’s a multi-prong advertising campaign across brands, including virtual storefronts. It also included “scaling to drive trials of zero sugar beverages to make it easier for consumers in the region to choose the beverages that fit their needs.” (Image 28)<sup>132</sup>

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**MEXICO:** Nestlé’s Instagram post invites consumers to “enjoy the product ‘Nesquik Letritas’ as a family. The company’s children’s cereal reduced in sugar, with no labels” - referring to a reformulation practice that has allowed the product to fall out of the scope of the mandatory front-of-package labeling regulation in the country. (Image 29)<sup>133</sup>

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**UK:** Companies are preparing for the marketing regulations on products HFSS to be implemented at the end of 2022 by changing the recipes of their products through reformulation strategies so that their products are not considered HFSS and regulations are not applied to them.<sup>134</sup>





# 3

## **Reason #3 – It’s aggressive, insidious and everywhere—it enables the industry to influence what consumers eat, displacing traditional foods from different cultures.**

This reason is connected to the following industry strategies:

**Industry strategy #3:** Divert attention from its corporate responsibility on the damage to environmental and human health to blame individuals for their behaviors.

### **Industry Tactics**

**Corporations promote UPP as goods to satisfy indulgence and pleasure while undermining people’s health and displacing traditional food cultures.**

### **Sample Actions**

**ANDEAN AND CENTRAL AMERICA:** Bimbo launched a campaign seeking consumer support for a healthier diet that doesn’t sacrifice taste (#DoltBecauseYouLikelt) for its product lines of whole meal, natural and light breads. The company’s marketing campaign urged people to keep the promises they make to their bodies. The main message is “taking care of yourself is not eating less or not eating; it’s doing it while you eat something delicious. With the light Bimbo line, you can eat what you like best with less salt, fat, and added sugar.” (Image 30)<sup>135,136</sup>

**LATIN AMERICA:** Pepsi’s campaign “Yes with Pepsi” is meant to reach young people, urging them to live by their own rules and positioning the brand within the gastronomic arena. The campaign introduced the term “Snackers,” a group the company describes as “adventurous people, capable of trying new things, experimenting with unknown recipes, and combining them until discovering new flavors. You can accompany each of these recipes with Pepsi.”<sup>137</sup>

**BRAZIL:** Previously, Nestlé introduced a floating supermarket in the Brazilian Amazon. This flooded the region with junk UPP that boosted an obesity epidemic among children and displaced traditional food culture and eating patterns. (Image 31)<sup>138,139,140</sup>

**COLOMBIA:** In an Instagram post, PepsiCo asked consumers if they have the willpower to wait to open the Doritos’ package on their way home. Another PepsiCo Facebook post indicated how snacks are so irresistible that you cannot reject them.<sup>141,142</sup> Moreover, Maggi launches its campaign MAGGI WITH A FLAVOR OF COLOMBIA, with which it rescues the cultural diversity of the Colombian regions. Likewise, it promotes that people consume certain products to win others of the brand. (Image 32)<sup>143</sup>



# 4

**Reason #4 – It puts children and adolescents at risk of becoming victims of commercial exploitation due to the corporate saturation of unhealthy products in the market.** This reason is connected to the following industry strategies:

**Industry strategy #1:** Protect the UPP industry's reputation and brands through corporate washing.

**Industry strategy #2:** Influence policies at all levels to delay implementation and threaten countries with legal and economic concerns.

**Industry strategy #4:** Imply that its products and brands contribute to a healthy lifestyle, the environment, culture, society, children's growth, families and friendship while gaining influence in the development and implementation of healthy food policies.

## Industry Tactics

Industry leverages online spaces (and regulatory gaps to protect children) to market its products.

## Sample Actions

### GLOBAL:

- A report launched this year by the Center for Digital Democracy called for federal and global action to monitor the growth of digital marketing of food and beverage products that target children and teens online. The analysis highlights how Big Tech and social media companies are working with the UPP and the fast-food industry to promote sugary drinks, candy, and other unhealthy products. These corporate actors use sophisticated strategies such as artificial intelligence and data-driven technics "to ensure that food marketing permeates all of the online cultural spaces where children and teenagers congregate."<sup>144,145</sup>
- An article summarized a study that reveals how fast-food companies, such as McDonalds are focusing their marketing on low-income countries to target young consumers worldwide using social media and other digital media platforms. [\(Image 33\)](#)<sup>146</sup>



# 4

**Reason #4 – It puts children and adolescents at risk of becoming victims of commercial exploitation due to the corporate saturation of unhealthy products in the market.** This reason is connected to the following industry strategies:

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**Industry strategy #1:** Protect the UPP industry’s reputation and brands through corporate washing.

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**Industry strategy #2:** Influence policies at all levels to delay implementation and threaten countries with legal and economic concerns.

---

**Industry strategy #4:** Imply that its products and brands contribute to a healthy lifestyle, the environment, culture, society, children’s growth, families and friendship while gaining influence in the development and implementation of healthy food policies.

## Industry Tactics

**Industry commercially exploits children’s imagery in its marketing strategies, including using children as social media influencers.**

## Sample Actions

### GLOBAL:

#### *Kidsfluencers*

- Ryan’s World, a famous child star on YouTube, has more than two million followers, made a challenge in which he exchanged his father’s PlayStation control for one of chocolate and one of Jell-O cups. The Ghirardelli and Jell-O (from Mondelez) brands are visible during the video.<sup>147</sup>
- Kyle, a baby chef and an Internet star made an Instagram video in which there is a paid collaboration with Torani, a company which delivers flavorings for coffee, promoting two products with sweeteners and artificial flavorings.<sup>148</sup>
- A South African girl, with more than 1 million Instagram followers, posted a contest, in collaboration with Nutri Day (a Danone brand), mentioning the “benefits” of these products.<sup>149</sup>

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**ARGENTINA:** Nestlé uses the image of a child to promote its dog food line.<sup>150</sup>

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**COLOMBIA:** A Nestlé’s Instagram post for Christmas uses a family image and thanks consumers for their help in “creating the menu that gets us together.”<sup>151</sup>

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**SOUTH AFRICA:** An influencer mother posted a video of her kids in collaboration with Kellogg’s, disclosing that this is an ad with the #ad, promoting Coco Pops and Rice Krispies cereals to get a chance to win prizes worth R250000. (Image 34)<sup>152</sup>



# 4

**Reason #4 – It puts children and adolescents at risk of becoming victims of commercial exploitation due to the corporate saturation of unhealthy products in the market.** This reason is connected to the following industry strategies:

**Industry strategy #1:** Protect the UPP industry’s reputation and brands through corporate washing.

**Industry strategy #2:** Influence policies at all levels to delay implementation and threaten countries with legal and economic concerns.

**Industry strategy #4:** Imply that its products and brands contribute to a healthy lifestyle, the environment, culture, society, children’s growth, families and friendship while gaining influence in the development and implementation of healthy food policies.

## Industry Tactics

Industry ultra-targets its products to young consumers and is present in places where children should be specially protected such as schools, while also showing off its added value to children’s lives and their families and communities.

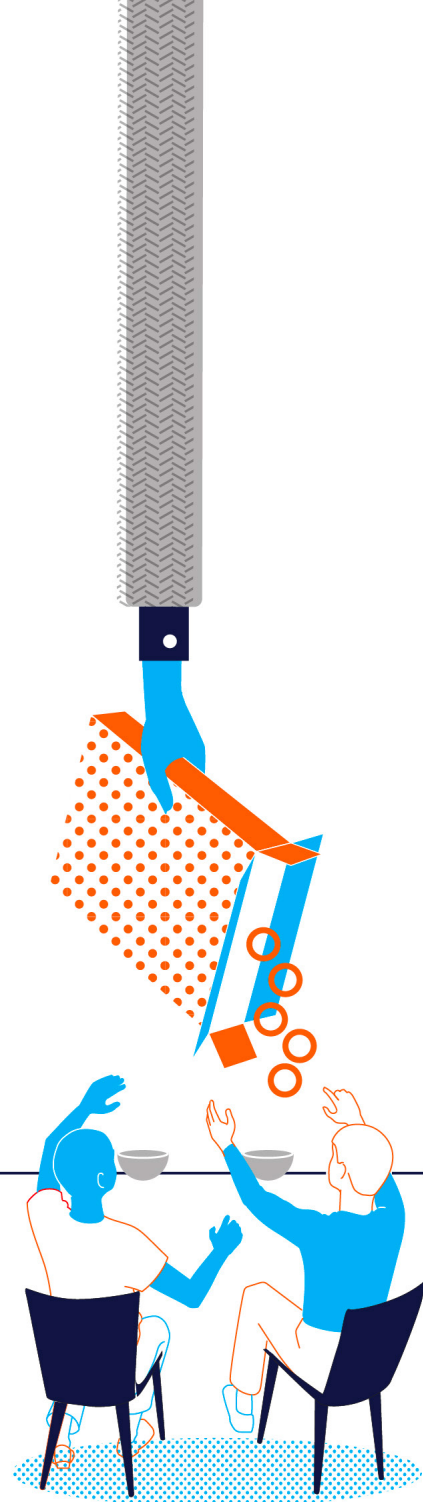
## Sample Actions

### GLOBAL:

- A study found that front-of-package claims and marketing messages used to promote fruit-flavored drinks and toddler milk with added sugars “contribute to parents’ misperceptions about product nutrition and benefits for their young children.” These create a “healthy halo” that makes parents believe these are healthy.<sup>153</sup>
- As part of its “Real Magic” campaign, Coca-Cola launched a space-inspired “new world”-flavored drink in select countries. The campaign is intended for young people and celebrates the experiences that make them happy – such as games, music, sports and time with friends. The goal of this tactic is to recruit new consumers from the younger generations. Pepsi has promoted its zero-sugar soda with the message that the beverage is like the song you can’t get out of your head, so open up a Pepsi Black to take a break from your routine.<sup>154,155,156</sup>
- The “Kinder Joy of Moving” program is expanding around the world, intending to help children enjoy physical activity. It is argued to be absolutely non-commercial and not geared towards profit; however, its implementation encompasses a strong presence in schools, partnerships with governments, and connections with parents, teachers and children. **(Image 35)**<sup>157</sup>

**CARIBBEAN:** The Nestlé for Healthier Kids Program organized a children’s camp but used the children’s photos wearing t-shirts with the Nestlé brand to promote the camp and company. **(Image 36)**<sup>158</sup>

**LATIN AMERICA:** For the upcoming World Cup, Coca-Cola partnered with Panini, the company that launched the figurines album around the world. Their joint promotion is eight exclusive stickers will only be available under the zero sugar bottles of the 2.25-liter and 2.5-liter. This strategy represents a marketing tactic directly targeting kids, undermining advertising regulations in countries such as Argentina and Mexico.<sup>159</sup>



# 4

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## Industry Tactics

Industry ultra-targets its products to young consumers and is present in places where children should be specially protected such as schools, while also showing off its added value to children’s lives and their families and communities.

## Sample Actions

### COLOMBIA:

- As part of Nestlé’s campaign for healthy children, the company states that “for almost five years, we have fulfilled the objective of helping families in our country to raise happy and healthy children, both through the educational program developed in schools, and through our digital platform aimed at parents and caregivers.”<sup>160</sup>
- Kinder leverages Halloween celebrations to promote its chocolate.<sup>161</sup>

**IVORY COAST:** Ferrero partnered with Save the Children to strengthen child protection systems to increase access to quality education and nutrition, support community development and empower women and adolescents in cocoa-growing communities.<sup>162</sup>

**JAMAICA:** Burger King offered toys during the country’s Child’s Month. Grace Kennedy and KFC sponsored secondary schools’ sports events, for the purpose of building brand loyalty with children and adolescents. [\(Images 37 & 38\)](#)<sup>163,164,165</sup>

**PAKISTAN:** PepsiCo launched a program along with the Institute of Rural Development to educate children who are out of school and reside in rural agricultural communities. The company targeted youth close to PepsiCo’s operations so they could be integrated in the mainstream educational system. A clear example of public-private partnership trying to portray themselves as part of the solution to key social issues. [\(Image 39\)](#)<sup>166</sup>

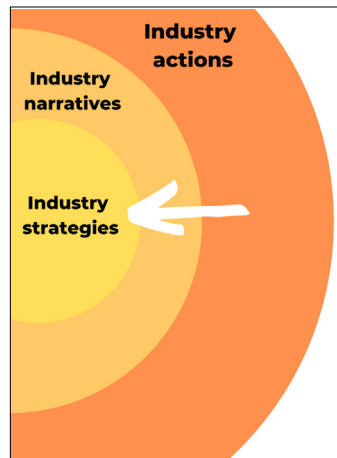
**SPAIN:** Nestlé launched its new range of NAT cereals, “specially designed so that the little ones in the house can enjoy them.” The company explained that the NAT cereals are carefully baked, and their main ingredient is whole oats, which makes them a source of fiber, and they are made without artificial colors or flavors and without palm oil. However, they remain to be an UPP marketed under the Nutri-Score halo.<sup>167,168</sup> [\(Image 40\)](#)

**VENEZUELA:** The Migurt’s yogurt brand promotes the yogurt as a healthy snack to go to school.<sup>169</sup>





**Image 1.** The industry playbook contains three relevant elements: (1) industry actions that are visible and materialize corporate strategies and narratives; (2) industry narratives that are made up of positive discourses and messages to legitimize and protect corporate behavior; (3) industry strategies that represent the core intention of the industry.



**Image 2.** With a focus on individual responsibility, Nestlé promotes healthy eating habits without mentioning the high influence of UPP marketing.



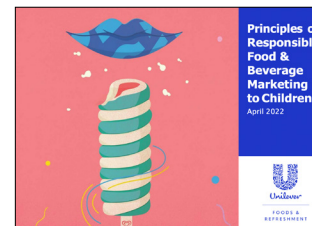
**Image 3.** Consumers Choice published a study calling junk food marketing restrictions a paternalistic movement in Europe as a way to interrupt the political process of regulating it.



**Images 4.** A trade association of soft drinks companies promoting physical activity in South Africa.



**Images 5.** Following IFBA's apparent improvement of its self-regulatory standards on marketing directed to children, Unilever published its principles on responsible food and beverage marketing to children.



**Image 6.** The media covering Unilever's commitments.



**Image 7.** IFBA's renewed Global Responsible Marketing Policy of voluntary compliance.



**Image 8.** Nestlé's 2021 sustainability report also shows off the efforts to follow IFBA's marketing policy.



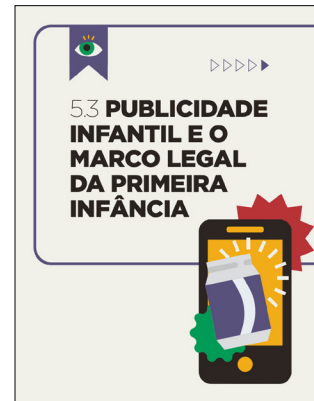
**Image 9.** Ferrero published its first report on compliance with human rights. This included using IFBA's marketing policy, child protection, and many other areas associated with corporate washing actions.



**Images 10.** As the implementation of the healthy eating promotion law was about to start in Argentina, many media articles raised concerns or challenges about it. It is frequently linked to protecting the industry rather than the population's health.



**Images 11.** Brazilian CSO published a dossier that collects case studies on how the UPP industry and its allies have interfered in public health policies in the country.



**Image 12.** The Indonesian government partnered with Nestlé to support a voluntary label on UPP that seems to be "healthy." While doing this, they direct its marketing to families and caregivers.



**Image 13.** Given that Mexico has one of the strongest FOPL policies in Latin America, the monitoring agency identified corporations that were not complying with the technical standard. This undermines consumers' right to know what's in their food.



**Image 14.** Kellogg's legally challenged the UK government's marketing restrictions of UPP HFSS.



**Image 15.** Two of the biggest plastic polluters of the world are pushing the UN to move forward with a mandatory treaty on plastic pollution. In other words, they are using the international community for greenwashing purposes.



**Images 16.** Article provides a critical analysis of the close collaboration between FAO and actors from the agro-industrial business.



**Image 17.** Food banks always used to wash companies' images while perpetuating low quality food as a solution to hunger. The image highlights a collaboration of the National Network of Food Banks with one of the most powerful trade associations in Colombia.



**Image 18.** This is another example of using food banks to wash companies' images. Close to the implementation day of the healthy eating promotion law in Argentina, a supermarket chain and the food bank of Buenos Aires joined efforts to fight against food waste.



**Images 19.** Public-Private Partnership in India with Nestlé and the National Institute of Food Technology to promote a program from the company around healthy foods to kids.



**Image 20.** Article highlights Coca-Cola and Red Cross partnership to promote volunteering in Ukraine. Interestingly, the image included in the article contains an advertising tag.



**Image 21.** Nestlé and Unilever respond to accusations of greenwashing.



**Images 22.** As highlighted in last year's report, eco-labels that indicate the different environmental attributes or impact of a product is a trend that is spreading globally. This could create a halo on unhealthy products, promoting confusion about environmental and health-related labels.



**Image 23.** Nestlé's campaign in Thailand seeks to bring everyone in to create a more sustainable world. This ignores the private sector's role in climate change.



**Image 24.** Cleaning hydric resources worldwide are some of the favorite greenwashing initiatives of big polluters. In this case, Coca-Cola partnered with an NGO to clean a river in Vietnam.



**Image 25.** In Peru, Bimbo donated 20 slices of fortified Bimbo Rendidor bread for each registrant into a race. Fortification of UPP is not the solution to the inherent harmful qualities of these products.



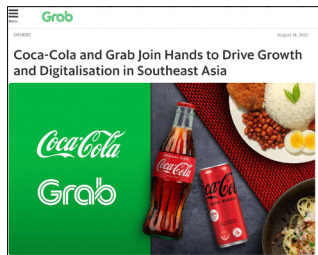
**Image 26.** McDonald's leveraged the climate emergency to promote a moving cause-marketing campaign in favor of the farmers that lost their crops due to the summer fires.



**Image 27.** A group of teen activists demanded transparency from Kellogg's when it comes to the health claims of their products.



**Image 28.** Coca-Cola partnered with a ride app in Southeast Asia to promote its products and become a platform for consumers to try its zero sugar beverages (but full of additives).



**Image 29.** Leveraging the industry's reformulation, Nestlé México shows off that its cereal is reduced in sugar and has no FOP labels. This is an attempt to escape the Mexican regulations for products HFSS and marketing UPP to kids through cartoons on the packages.



**Images 30.** Bimbo launched a campaign to promote reformulated ("healthier") products without sacrificing taste.



**Image 31.** Nestlé flooded the Brazilian Amazon with UPP through a floating supermarket which resulted in devastating effects on people's health.



**Image 32.** A clear example of how the UPP industry uses cultural food values to market unhealthy products. Maggi, a Nestlé brand, promotes its products linked to Colombian traditions.



**Image 33.** A global report exposes how Big Food and Big Tech are working together to promote unhealthy products to children, using sophisticated marketing strategies.



**Image 34.** Post by a South African influencer mom showing her children through a collaboration with Kellogg's and a toy's brand.



**Image 35.** Website for the global Ferrero program called "The Kinder Joy of Moving." This promotes physical activity in schools in collaboration with key actors such as parents, teachers, and children.



**Image 36.** Photo of a Nestlé camp in the Caribbean, as part of the "Nestlé for Healthier Kids" program.



**Image 37.** Burger King offered toys during Jamaica's Child's Month when buying akids meal.



**Images 38.** Grace Kennedy sponsored a school sports event, covering the stage with the brand's logo.



**Image 39.** Public-Private Partnership in Pakistan seeks to educate children living in rural areas who are out of the formal educational system.



**Image 40.** In Spain, Nestlé launched a range of cereals directed to children under the Nutri-Score halo..



**“People in the global South who have been dispossessed of land for generations are now particularly exposed to the aggressive marketing techniques of food and beverage companies whose products contain a combination of fat, salt, sugar and additives that are associated with risk factors of noncommunicable diseases.”**

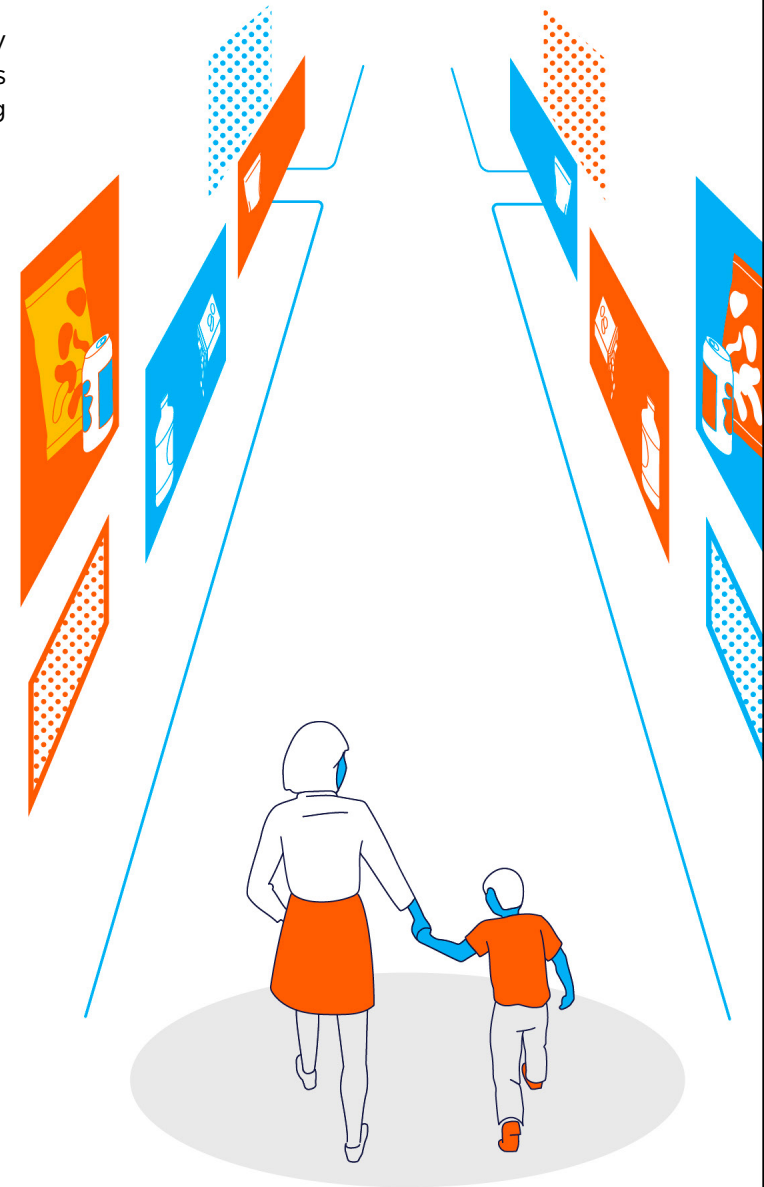
- [Tlaleng Mofokeng](#),  
UN Special Rapporteur  
on the right to health

## Call to action

The harmful and sophisticated marketing practices of the UPP industry require immediate, coordinated and urgent response from CSOs and governments around the world to champion strong marketing regulations free from industry influence, including the following:

### **Necessary actions by governments**

1. Enact mandatory and comprehensive corporate marketing restrictions based on independent evidence that include any form of advertising, promotion and sponsorship of UPPs. This ensures that marketing regulations are part of a healthy food and nutrition policy package designed to make food environments healthier and free from corporate influence.
  - Establish marketing restrictions covering both digital and offline marketing, considering a variety of channels and means of communication, and direct and indirect marketing such as CSR practices.
  - For the digital marketing regulations, design adequate monitoring mechanisms to consider the challenges of cross-border marketing, use of influencers and data privacy.
2. Protect children and other populations that are in vulnerable situations or conditions from commercial exploitation (E.g.: marketing targeted to children and adolescents, specific communities or minorities, etc.) through evidence-based mandatory policies. Governments also must protect them from being a target audience of harmful marketing practices or being used as main characters of marketing strategies.
3. Reject alternative policy proposals positioned by private actors that guarantee corporate autonomy and the maintenance of negative externalities. These can include self-regulatory efforts or voluntary agreements with industry actors that put private interests over the common good.





4. Exclude the UPP industry and its allies from the policymaking table. This means that the sector should not be collaborating with designing the standards of compulsory public policies. Governments should prioritize not engaging in multi-stakeholder initiatives or public-private partnerships that allow the industry to influence policymaking spaces directly or indirectly or build privileged relationships with decision-makers. However, it should be clear that the industry cannot be excluded from open and public consultation processes.
5. Adopt mandatory legal frameworks to prevent the influence of private interests in policymaking. For instance, governments should strictly avoid revolving door practices between the private sector and the public authorities.

### **Necessary actions by CSOs**

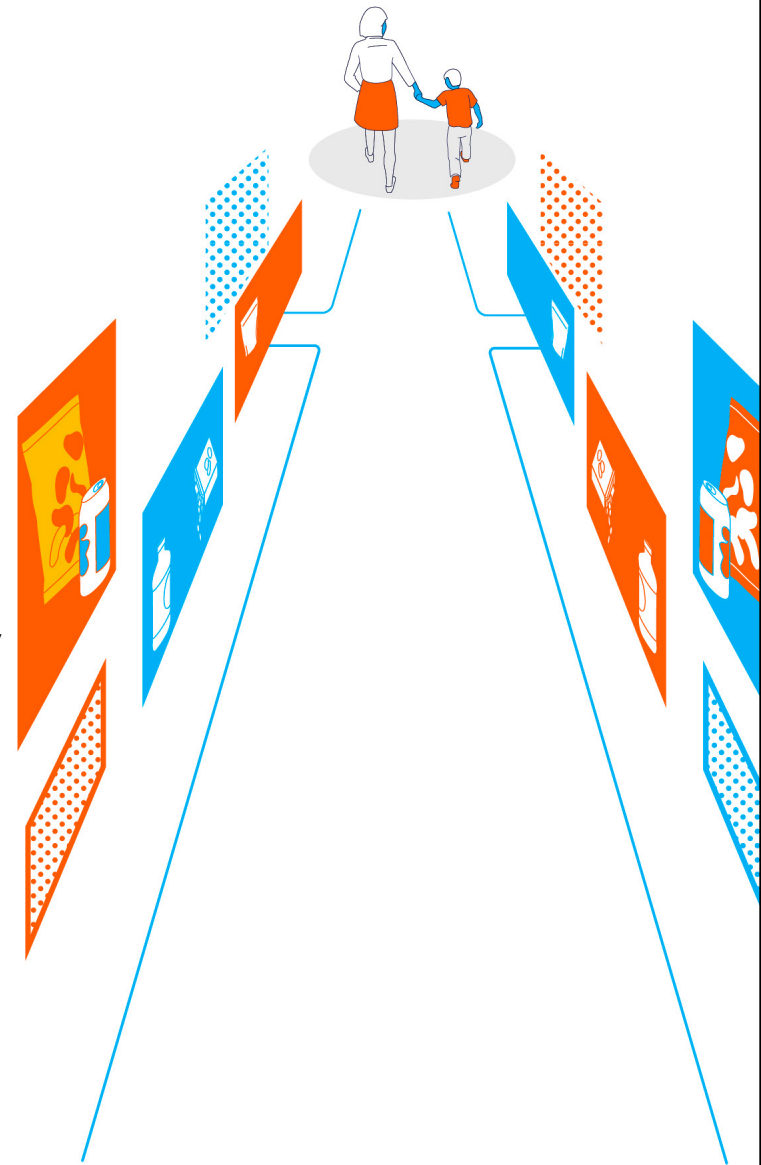
When developing advocacy campaigns to promote healthy food and nutrition policies, such as marketing restrictions, the following considerations are recommended:

1. Advocate for strong, comprehensive, robust, evidence-based, free of COI and mandatory policies to regulate all types of advertising, promotion and sponsorship of UPPs.
2. Develop a critical thinking approach towards corporate marketing practices of unhealthy commodities. This will leave the commercial perspective behind and analyze how these profit-oriented strategies can violate essential human rights.
3. Build a social narrative to emphasize the importance of traditional food cultures linked with real foods and denormalize corporate marketing practices of unhealthy commodities such as UPPs, considering how indiscriminate, abusive and insidious they can be. In order to do this, it could be useful to:
  - Consider that many practices can be legal (but not legitimate) and can be normalized before the general public, but they are unethical. Moreover, these narratives



can connect to how the UPP industry commercially exploits groups in vulnerable conditions or situations to market unhealthy products.

- Assess marketing practices according to current legal frameworks of abusive or deceptive marketing practices.
4. Perform risk assessments to:
    - Expand the analysis of corporate practices that seek to position UPPs brands or products, such as CSR actions (many times materialized as public-private partnerships).
    - Consider engagements with organizations, individuals and specific forums or events as industry ties often happen behind the scenes.
  5. Connect with other actors whose causes are linked to harmful corporate marketing, such as those working to tackle unhealthy commodities such as tobacco and alcohol, breast milk substitutes, data privacy groups, corporate accountability and human rights, among others.



**“[E]nvironmental degradation associated with UPFs is of significant concern due to the substantial resources used in the production and processing of such products, and also because UPFs are superfluous to basic human needs.”**

- [Baker P et. al](#)

## Conclusion

The marketing practices of UPPs have been historically normalized to the point that private industries have been accepted as key actors within the food systems realm globally, regionally and nationally. In reality, these marketing practices are creating unhealthy environments. They serve as corporate washing tactics and displace traditional food cultures. As a result, they exploit vulnerable audiences and harm the environment. In parallel, the UPP industry ensures that regulatory landscapes are favorable to its businesses at the expense of public health.

The dangerous implications of inaction are evident. It is well documented that manipulative marketing (especially targeting vulnerable populations) affects food choices and food purchases. These food consumption patterns create short- and long-term health effects. To date, the global response to this public threat has been insufficient. In the absence of comprehensive and mandatory marketing restrictions, food systems are being deteriorated and human health is threatened by diseases and preventable deaths with high economic and social costs.

There is a global need to protect and promote food sovereignty for all. One path is advocating for strong marketing regulations free from industry influence. This report demonstrates why the UPP industry should no longer be shaping unhealthy environments, burdening the population, influencing policymakers, exploiting children and displacing food cultures. The time for meaningful action with true accountability for the UPP industry is now.



CSK

GREEN WASHING

SELF REGULATION

CORPORATE WASHING

CARBON NEUTRAL

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