

Marketing to Children Policy	
Policy Sponsor/Function:	EVP and Chief Growth Officer
Policy Owner:	SVP and Chief Marketing Officer
Effective Date:	February 1, 2018
Supersedes:	January 1, 2016

Background – Statement of the Policy

At Mondelēz International (MDLZ), we do not believe in marketing directly to children under 12 years of age. Our all-family marketing is directed to the Gatekeeper, as well as children 12+, who we empower with information and product choices to make mindful snacking decisions.

Any creative that is being developed and/or in use must comply with this Policy.

Although we strive to make the policy clear, it cannot address every question which may arise. To maintain public trust, it is critical that we follow this Policy, as well as not engage in conduct that might appear to be inconsistent with our public commitments about marketing to children. The requirements outlined in this policy are in addition to all legal requirements in countries as well as self-regulatory commitments, such as regional and country marketing pledges.

Policy and Implementation Guide

Please note that in order to assist with the application of this Policy, we have included an [Implementation Guide](#) and a repository of previous [M2K policy decisions](#) for more detailed information about the Policy for those responsible for compliance with it.

Who needs to follow the Policy?

People responsible for creating, approving and/or placing marketing messages and material have primary responsibility for understanding and adhering to this Policy. They must also ensure that any agencies acting on our behalf understand and follow this Policy.

This includes people in the following functions: Marketing, Marketing Services, Consumer Insights, Consumer Promotions, Media & Consumer Engagement, and Media Planning.

Responsibility for implementing this Policy sits with those functions listed above. However, if there are questions or elements that may be unclear please consult with Corporate & Government Affairs (CGA) and Legal for guidance and advice given the reputational risks associated with marketing to children issues.

Definitions

- **“Gatekeeper”**: adults, parents, guardians
- **“Premiums”**: free promotional items, products, toys linked to a product.
- **“Seasonal Products”**: in and out products created for specific holidays that are on shelf for a limited time, and include toys, Premiums or Licensed Characters for children 6 and up, regardless of the product.

- “Everyday Products”: permanent SKUs that are distinguished by their nutritional profile as Qualifying Products and Non Qualifying Products.
- “Licensed Characters”: fictional or other characters that are either animated or live action from any movie, TV show, book, comic book, toy, etc. as well as celebrities and influencers appealing to children, or any other non-character representation of the property from which the character originated.
- “Brand Equity Characters” MDLZ owned and branded characters, including but not limited to: BARNI, TEDDY, FREDDO the Frog, and PRINCE.
- “Qualifying Products”: a product that meets nutrition criteria under our MDLZ Nutritional Criteria which is based on industry-wide program criteria - such as the EU and US Pledge nutrition criteria. Where a brand includes both Qualifying and non-Qualifying Products, at least 80% of the brand or 100% of a clearly differentiated sub-brand (by revenue) must be Qualifying Products. Contact your local nutrition or SARA representative to determine if your product is a Qualifying Product.
- “MDLZ Nutritional Criteria” Link to [Marketing to Children Nutrition Criteria](#)
- “In-school Activities”: activities that occur within School Hours and on school property; or are school-sponsored activities taking place off school grounds.
- “School Hours”: the official hours of the school day, as well as the time children are on buses to and from school and school-sponsored before or after school activities, events, clubs and sports.

Policy

General Principle

At Mondelēz International, we do not believe in marketing directly to children under 12 years of age. Our all-family marketing is directed to the Gatekeeper as well as people age 12 and older, who we empower with information and product choices to make mindful snacking decisions.

Age

We direct our advertising to Gatekeepers who make purchase decisions, as well as people age 12 and older.

- We **do not direct** nor **conduct** any marketing activities, including promotions, tie-ins and Premiums that appeal to children below 6 years of age (pre-school).
- We **do not advertise** any of our products in any media primarily directed at children under age 12 - regardless of the product’s nutrition profile.
- We **prohibit** all advertising and any type of branded commercial messaging or in-school marketing in pre-K, primary and secondary schools (prior to university level).
- For Everyday Products that do not meet specific MDLZ Nutritional Criteria, we only permit on- pack communications & promotions, tie-ins to 3rd party Licensed Characters and movies rated PG and only offering Premiums/toys (including branded Premium and toys) that appeal to children age 12 and older.

Advertising creative must be designed primarily to appeal to adults or children age 12 and older through tone, messaging, and look/feel, including the look/feel of any animation used in the creative.

Images of children of any age are permitted in the creative, but the messaging and tone must be clearly adult – directed and use of animation must be limited.

Advertising will be deemed directed at children below the age of 12 if in measured media, 35% or more of the audience is expected to be children under 12 years of age. Where adequate data is unavailable, other factors to determine audience (e.g. actions taken to restrict child access, target demographic based on media plan) will be considered in determining whether the advertising is deemed to be directed at children below the age of 12.

Media Scope

The Policy specifically applies to the following media: television, magazine, print, video, mobile, radio, web based and digital media, digital apps and mobile games, social media, word of mouth (WOM), viral advertising, product placement, in-cinema, streaming movie/TV services and DVDs/Blu-ray discs, and video and computer games in any form (including console gaming systems, such as Xbox and PlayStation).

See [Implementation Guide](#) for detailed guidance on application of the policy to the various media vehicles.

On-pack, point of sale and Premium communications

All on-pack, point of sale and Premium promotion communications should be directed at the Gatekeeper, who makes the purchasing decision. In addition:

- The Policy prohibits any on-pack, point of sale, promotional activity and/or branded Premium promotions that appeal to children under 6 year of age.
- On-pack, point of sale, promotional activities and on pack Premium promotions and/or branded Premiums, intended for children aged 6 – 11 may only be used in relation to Qualifying Products i.e. those that meet the MDLZ Nutritional Criteria.
- Non-qualifying Everyday Products can only include on-pack communications and promotions, point of sale, promotion activity and/or branded Premiums, intended for children ages 12 and over.
- Seasonal Products, which by definition are in market for a limited time and related to specific holidays, may include on- pack communications, promotions including toys, Premiums or Licensed Characters for children 6 and up regardless of the nutritional profile. Consult your local Marketing, Legal, and Corporate Affairs representatives if you are seeking an exemption for any new product, developed and marketed as a Seasonal Product.
- Promotions, such as sweepstakes and contests, must be directed to adults only. All promotions are subject to specific legal guidelines and privacy laws applicable to the chosen media (e.g., television, internet, on pack, in store) and jurisdiction.

See [Implementation Guide](#) for detailed guidance on product and marketing guidelines relating to Qualifying Products.

Use of celebrity and third-party Licensed Character endorsements, movie tie-ins

- The policy prohibits the use of Licensed Characters, including celebrities and influencers, or tie-ins with movies that appeal to children under 6 years of age. E.g. Bob the Builder, Dora the Explorer, Thomas the Tank Engine, Tinkerbell/Disney Fairies.
- We may use Licensed Character endorsements and movie tie-ins that appeal primarily to children over the age of 6 years old (G rated and above), in relation to Qualifying Products only. However, these Qualifying Products may not be advertised in any media directed at children under 12 years of age.
- For non-Qualifying Products, Licensed Character endorsements and movie tie-ins are permitted only in connection with PG and above rated movies and only for temporary promotional purposes of no more than 16 weeks.
- Note where use of Licensed Characters have a high appeal among children even though featured in a movie with a PG rating, e.g. Kung Fu Panda, the following additional guidelines apply:
 - Brands must secure approval to conduct the promotion from local Marketing, Legal and Corporate Affairs if the Licensed Character or property is derived from a children's book, movie series, television show or other property or media, or if the owner of the Licensed Character or property (or its other licensees) will be promoting directly to children under 12.
 - Use of Licensed Characters are permitted in the creative, but the messaging and tone must be clearly adult – directed and use of animation limited.

Use of MDLZ Trade Marks and Brand Equity Characters

- The policy allows the continued use of Brand Equity Characters on products and in advertising directed at children 12 and over.
- The policy permits the continued use of existing Brand Equity Characters that may appeal to children under 6 years of age.

However, we will not develop new characters that are likely to appeal to children under 6 years. Consult your local Legal and Corporate Affairs representatives for guidance on development of new characters that could appeal to children under 6 years.

- Existing Brand Equity Characters may be used in branded Premiums, toys and on-pack games that appeal to children ages 6-11 for Qualifying Products only.

Licensing MDLZ Trade Marks and Brand Equity Characters

- All third parties that license any of our trademarks, logos or other brand indicia (including Food Service/Away from Home customers) must adhere to this Policy at all times. Any agreements with such third-party licensees must include a clause that requires the licensees to advertise and market the licensed products consistent with this Policy.

Marketing Communications, Event Marketing and In-Store Communications (including Sampling)

We do not use or create in-store communication materials that are targeted to and appeal to children under 6 years old.

- We do not sponsor events, or participate in event marketing activities, focused on preschool children. This applies to all event marketing, “retail-tainment” ideas and other in-store elements.
- We do allow sponsorship of and participation in all-family oriented events (e.g. fun fairs, festivals, zoo events, etc.).
- Sampling of our products is allowed at all events. Samples should be distributed only in accordance with our food safety sampling guidelines. In accordance with MDLZ food safety guidelines, samples should not be handed out directly to children under age 14 (in the US, samples cannot be given to children under age 18) and only given to their parents or guardians.

Market Research and Product Development

This Policy does not prohibit the development of food or beverage products that are consumed primarily by children under age 12. Rather, it governs **how** we can advertise and market those products to children.

- Marketing research (e.g., focus groups) on a Mondelēz International product should not be conducted among children under 6 years old.
- Marketing research on a product conducted among children 6 and older requires the knowledge and written consent of the child’s parent or guardian.
- Taste tests for consumer insights may be conducted with children of all ages, only with prior written consent of the child’s parent or guardian.

In-School Marketing

- We do not advertise or promote products in schools (prior to the university level), during School Hours or during school-sponsored activities outside of School Hours. This includes print and broadcast advertising, contests, posters, book covers, product sampling and any other forms of commercial messaging.
- We do not engage in marketing communications, product sampling or marketing research In-schools (prior to the university level) during School Hours or during school-sponsored activities.

In-School Vending/Cafeterias

We sell products to vendors and wholesalers who may in turn sell these products in school stores, cafeterias or vending machines. While these products may be available in school stores, cafeterias or vending machines, we will not promote or advertise them in-school.

We may also provide products for free school lunch programs so long as the products meet the school's nutrition guidelines or meet the nutrition guidelines of any other school nutrition pledge we have signed in the market at issue (such as the Alliance for a Healthier Generation in the United States).

See [Implementation Guide](#) for examples of authorized and prohibited In-School Marketing Activities.

Corporate Citizenship and Philanthropic Activities

As part of its ongoing corporate citizenship and philanthropic activities, we will continue to allow corporate philanthropic funding of school programs, as long as this support is free of any marketing or branded messaging and that our participation is philanthropic in nature and free of any selling intent. Our corporate name or logo may be used with or without a recognition statement to indicate that Mondelēz International provided the funding. No brand names, logos or messaging are permitted in connection with these programs.

We may also provide philanthropic support to programs that benefit the public, outside of school environment. Sponsorship of certain educational and other non-commercial programs may benefit children under 6 years old. When the program is directed primarily toward preschool children or the program involves characters appealing primarily to preschool children, any such sponsorship will be limited to mentioning our support, such as a corporate logo, and will not actively market brands.

Corporate Affairs will address and manage all philanthropic requests in consultation with a member of local senior management. Where appropriate, requests will be referred by Corporate Affairs to the local Legal representative.

Additional Marketing Guidelines

- See [Implementation Guide](#) for general marketing guidelines and application of the policy.