

## Background

This document supplements the **Marketing to Children Policy** and **Marketing to Children Decision repository** and is designed to assist in the interpretation of and give detailed information on the application of the Policy.

## Definitions

**“Gatekeeper”**: adults, parents, guardians.

**“Premiums”**: free promotional items, (such as accessories, toys, etc.) that are provided to consumers upon purchase of a product or as a promotional prize.

**“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.

**“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.

## Implementation guide

### Media Scope

Specific application of the M2K policy to the various media vehicles.

**Television**: We will not advertise during programming blocks primarily directed to children under 12. Specifically, we will not buy television time in:

- programming blocks where more than 35% of the total viewing audience is expected to be children under 12;
- outlets marketed as “kid media” (e.g. Disney, Cartoon Network, Nickelodeon); or
- any programming block that falls within time periods traditionally regarded as “kids’ viewing time” (as designated by media providers), irrespective of the child viewing audience size.

Where program viewership data is unavailable, we use our best judgment to avoid programs that are likely to be intended for children under 12 audiences (e.g. SpongeBob Square Pants).

**Magazines, Print material and Radio**: We will not place advertising in publications or radio blocks intended primarily for children under 12. Contact your regional/local Media Group representatives for examples of publications primarily directed to children under 12.

**Internet and Online/Digital Media (this includes MDLZ corporate and brand websites, third-party websites and online brand applications)**:

- Brand websites must be designed to appeal to adults or children age 12 and older. We will not create brand websites nor develop branded website content, including branded material that can be downloaded, intended for children under 12 - even if the material is designed for educational purposes. We will not permit children under 12 to register on Mondelēz International brand websites.
- On our branded websites, we will add age screening for contests, games, audio and visual downloads and e-mail/tell-a-friend features. Age screening will follow the US Children’s Privacy Protection Act (COPPA), EUGDPR or other applicable local equivalent, to protect privacy, as well as to ensure that we have taken all reasonable steps to restrict children under age 12 from entering the site or downloading material. All MDLZ websites must abide by local data protection and privacy laws.

**Online games, including branded advergames, digital platforms**:

- All online games will be developed for and directed to Gatekeeper/adult, children over age 12.
- Online games, including branded advergames, will be intended to appeal to children age 12 and older. We will not create branded games intended for children under 12 – no matter the products nutrition criteria and even if the game is intended to be downloaded and/or played with a parent.

- Qualifying Products (products that meet MDLZ Nutrition Criteria) may create an online game that could appeal to children 6-11; however, those games **must be unbranded** and cannot feature any product.
- We recommend that playing time should be limited to an average of 15 minutes or less.
- We will not depict consumption of our products as part of the interactive online and advergaming.
- We will not advertise or place branded advergaming or downloads on third-party websites or digital sites where more than 35% of the total visitors are children under 12. Where accurate data is unavailable, to determine if a third-party site is directed to children under 12, the business unit should get a clearly defined audience from the website owners based on information like past history, content, partners and marketing plans.

### Smart Phones/Tablets/Mobile Media, including digital apps and mobile games:

We will not engage in smart phones/mobile media marketing directed to children under age 12. This includes the development and dissemination of tablets and smart phone apps and games. Specifically:

- All apps and games will be directed to Gatekeeper/adult, children over age 12.
- We will not create branded app games intended for children under age 12 – even if the game is intended to be downloaded and played in conjunction with a parent /adult.
- **All apps** must be designed and intended for children age 12 and older, through tone, messaging, the look/feel and level of difficulty.
- Qualifying Products (products that meet MDLZ nutrition criteria) may create a game/app that could appeal to children 6-11. However, the app/game must be unbranded and cannot feature products. The app/game must have approval from the parent or guardian before downloading

### Social Media, Word of Mouth (WOM) and Viral Advertising:

We will not engage in word of mouth/viral marketing or social media campaigns directed to children under age 12 – even if the campaign materials are intended to be downloaded and viewed with a parent or adult. We will also not direct or encourage children under age 12 to interact with sites that prohibit participation by children under 12 (e.g. Facebook, Pinterest, YouTube) even if it is intended to be viewed with a

parent or adult. This includes our own brands' Facebook and YouTube sites.

### Product Placement:

Mondelēz International does not pay for, or actively seek, product placement in the content or programming in any media directed to children under 12.

### In-Cinema, Streaming Movie Services and DVDs/Blu-ray Discs Advertising:

We will only purchase advertising in cinema, on DVDs/Blu-ray discs, and on streaming video services (e.g. Hulu, Netflix) for movies and programs primarily directed to children over age 12 and rated PG and above (or the country or region equivalent).

### Video and Computer Games (including gaming systems, such as Xbox and PlayStation):

We will only purchase advertising on video or computer games, including those that can be downloaded directly onto game consoles, that have either have an age-grade on the label or have an Entertainment Software Rating Board (ESRB) rating indicating the game is appropriate for children age 12 and older (e.g., T for Teen, M for Mature).

### On pack, point of sale and in-store premium promotion communications

All on-pack (packaging), point of sale and in-store premium promotion communications should be directed to the parent/adult, who makes the purchasing decision

Here are the Product and Marketing Guidelines that must be followed:

### Product Guidelines

- **Qualifying Products** – products that meet MDLZ Nutrition Criteria – are allowed to have on-package Premiums and promotional activities (e.g. on pack puzzles, games, toys, and give-aways) intended for children ages 6-11.

Premiums associated with Qualifying Products must be intended for children age 6 and older. Brand teams should conduct necessary due diligence to ensure premiums/toys appeal to children 6 years and older.

- Qualifying products can also use third-party Licensed Characters, celebrities, influencers and properties (e.g. movies, books) that appeal to children over age 6 (G-rated and above) for in-store promotions, movie tie ins and long term promotions (over 16 weeks)
- Refer to the Marketing to Children Nutrition Criteria to determine if your product meets Qualifying Product criteria

- **Non-Qualifying Products** (products that don't meet MDLZ Nutrition Criteria): can only conduct promotional tie-ins with celebrities/influencers/Licensed Characters and properties (e.g. movies, books) to those rated PG and above (in accordance with the MPAA ratings). Furthermore, can only use the licensed property for temporary timeframe (i.e., 16 weeks or less).

## Specific marketing and labeling guidelines for Qualifying Products

- Qualifying products can feature Licensed Characters and offer Premiums/toys intended for children 6 years or older
- Consistent with our policy, marketing and advertising of these Qualifying Products must be directed to the Gatekeeper/adult.
- Qualifying Products that meet the MDLZ Nutrition Criteria for **small portion products**, that are 100 calories or less and are individually wrapped should include Snack Mindfully message on front-of-pack and provide helpful tips for parents on their brand websites and in social media (see appendix 1); before using the "Snack Mindfully" phrase, check with local trade mark counsel; See section 3 of the MDLZ Nutritional Criteria; as well as appendix 2 for examples of Qualifying and Non Qualifying Products portion controlled products meant for children under 12.

## In-School Marketing

See below examples of authorized and prohibited School Marketing Activities.

### Examples of Prohibited In-School Marketing Activities:

- Referencing any Mondelēz International products in any school text books, classroom materials or teaching modules, or on school bulletin boards.
- Providing company-funded Mondelēz International products as samples on school property during School Hours or during school-sponsored activities taking place off school grounds.
- Providing coupons on school property during School Hours or during school-sponsored activities taking place off school grounds.
- Brand or corporate naming of school property (such as redecorating the school walls with a brand or corporate name or logo, a corporate or brand naming of new backboards on the basketball court or corporate or brand naming of any room, playing field or other school area).
- Distribution of branded backpacks, clothes or other promotional items to students at schools or school events;

or given to schools and teachers for them to hand out to students.

- Branded vending machines that are placed in a school; or commercial messages for our brands to appear on the side/front of a vending machine that is placed in a school.
- Promotional/trade support programs that will ultimately be directed to students to increase the sales of our products in the in-school setting

**Philanthropic School Programs:** We will continue to allow corporate philanthropic funding of school programs, as long as this support is free of any marketing or branded messaging<sup>1</sup> 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 will allow an informational, reasonably-sized plaque or sign stating that Mondelēz International (not a brand) sponsored a school project or facility. Corporate Affairs will address and manage all philanthropic requests in consultation with a member of local senior management; and may also consult with the local Law Department representative.

In those countries where use of the Mondelēz International name may not be permitted for corporate separateness reasons, please consult with your local Corporate Affairs and Legal Department representative on whether the Cadbury corporate name can be used.

**Visits to Mondelēz International:** We will allow school groups (under the supervision of a teacher) to make on-site visits to our factories or visitor centers. Each student must obtain prior written permission from a parent or guardian to participate and to taste what is produced in the factory. Responsibility for establishing any dietary restrictions rests with the school prior to the visit. Samples given over the duration of the tour must, in total, be in line with the portion sizes indicated on the product's packaging.

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*Exception to this policy is the Bournvita Quiz Contest in India. Bournvita has a 40 year history as the named sponsor of this contest, a well-known interscholastic program that encourages and recognizes academic excellence. Rather than cancel the contest, we have established specific guidelines to minimize in-school branding. The Quiz Contest will not be expanded beyond India, nor will exceptions be granted for similar prospective programs.*

**Career or Theme Days and School Assemblies:** Our employees may join a theme/event day to discuss jobs/careers, as part of labor market education, but we do not allow our employees to use the event for the purpose of providing commercial messages. Our employees may also participate in school assemblies on business-related themes, such as well-being, community partnerships, and age sustainability. However, employees cannot use the event for the purpose of providing commercial messages or promotion or distribution of products.

**Afterschool Activities by Non-School Groups:** In some countries, school property is used for leisure or community activities after School Hours by groups that are not affiliated with the schools. Because these groups are not affiliated or sponsored by schools and take place after official School Hours, we reserve the right to support such programs and responsibly market our products as part of the non-school initiative. Marketing in connection with afterschool activities by non-school groups on school property must be approved by the local Corporate Affairs and Legal Department representative.

**Promotional items:** Promotional items that children may wear or use in-school and are obtained through activities outside of the school environment (e.g., promotions, giveaways at non-school events) are acceptable.

**Lesson Materials:** If a school specifically requests that we supply material covering our areas of expertise (e.g., commodities or nutrition), we may do so as long as it is non-commercial material and free of any branding messages.

**Field Trips:** Mondelēz International may sponsor a school's field trip as a philanthropic program, so that the sponsorship is limited to mentioning our support, such as a corporate logo (but not a brand name or brand logo), and the purpose of the field trip is non-commercial in nature. For example, Mondelēz International may sponsor a school's field trip to a museum for educational purposes, but may not sponsor a field trip to a grocery store for commercial purposes.

**Classroom Parties:** Nothing in this policy prevents employees from bringing our products to classroom parties for children in their family so long as the products are not donated by Mondelēz International (i.e., the employee or class pays for them) and the employee does not use the products to deliver any marketing messages.

**Selling Mondelēz International Products for Fundraising:** Some schools have children raise funds through catalog and product sales, such as confections, cookies, cookie dough and gift catalogs. Mondelēz International does not provide products for fundraising by children. School fundraising will only be permitted when designed to be executed entirely by adults, and under the following conditions:

- All materials must be clearly directed to adults (parents/guardians and teachers);
- The program is designed so that the adults are the ones selling, not the children;
- All selling incentives are to benefit the school, not the children (e.g., the children should not receive any Premiums or rewards for selling); and
- Any Premiums the school receives as part of the program should be unbranded.

### Additional Marketing Guidelines:

Below are general guidelines that should apply to all communications (advertising, packaging, retail point of sale signage, sponsorships, etc.):

- Children of any age can be used in the creative. However, we model safe behaviors in the context of their everyday lives (e.g., when riding a bicycle or riding in a car).
- We do not portray our products as critical to establishing social acceptance.
- We do not ask children to persuade their parents/guardians or other adults to buy advertised products for them.
- We do not use imperative words like “now” and “only” to create a sense of urgency to buy our products.
- We should make sure our messaging is directed for the intended audience (age 12 and older), and not to children under 12. Co-viewing must not be used to circumvent this policy as a way to intentionally reach children under 12.
- We do not denigrate or make fun of nutritious foods, no matter how lightly or playfully.
- Although we may talk about maintaining a healthy lifestyle, we should avoid negative “overweight” references and imagery and recommendations that children should go on a diet.
- Ads should encourage physical activity rather than sedentary behavior, but avoid emphasizing “over-the-top” physical activities that could suggest our product enables extraordinary physical abilities.
- Portray appropriate portions or serving size, as well as proper consumption of our products in creative.
- Communications are consistent with MDLZ [Marketing Standards](#).