



BBB's Children's Food & Beverage Advertising Initiative:  
Fact Sheet on the Elementary  
School Advertising Principles

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This Fact Sheet addresses some commonly asked questions about what activities the BBB's Children's Food and Beverage Advertising Initiative permits or prohibits participants from conducting in elementary schools. The Initiative is a voluntary, self-regulation program administered by the BBB. The goal of the Initiative is to shift the mix of advertising primarily directed to children under 12 to include healthier or better-for-you foods and/or healthy lifestyles messaging. Currently, 15 leading food and beverage companies ("participants") voluntarily have agreed to abide by the Initiative's principles and requirements. For information about the other elements of the BBB's program not related to advertising in elementary schools, please visit [www.us.bbb.org/advertisers4healthykids](http://www.us.bbb.org/advertisers4healthykids). The Initiative welcomes questions and comments about the program or this fact sheet. Inquiries can be sent to [kidsinitiative@council.bbb.org](mailto:kidsinitiative@council.bbb.org).

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## A. Introduction

Under the Initiative all participants “commit to not advertising food or beverage products in elementary schools.”

One objective of the Initiative is to stop *advertising* or *commercial sales messages* for food and beverage products *directed at children* in elementary school. This means the Initiative does not permit participants to promote the sale of specific or branded food or beverage products in materials prepared for or directed to students.

It does not, however, limit the ability of companies to communicate with administrators, school employees, parents or other adults. The Initiative also does not affect or limit the rights of schools, school-based parent organizations or school booster clubs to offer products for sale, or from engaging in partnerships or arrangements with food and beverage companies that they determine are necessary or helpful to the school’s students. For example, a school might allow teachers and/or students to use company-provided curricula materials.



The Initiative specifically does *not* apply to:

- displays of food and beverage products offered for sale
- charitable fundraising activities
- public service messaging, or
- items provided to school administrators.

Additionally, certain other activities, such as charitable donations, are not considered advertising of food or beverage products and are thus outside the scope of the Initiative, as explained in Part C.

## B. The Scope of the Initiative

**Question 1. *Does the Initiative allow participants to advertise any of their products in schools?***

A. Participants in the Initiative have agreed not to advertise their food and beverage products in elementary schools. This Initiative is focused on advertising primarily directed to children under 12, and the population in *elementary* schools is primarily children under age 12. In other venues, such as on television, Initiative participants may advertise better-for-you foods that meet nutritional guidelines that the BBB has reviewed and approved. For elementary schools, however, the Initiative participants have agreed not to engage in *any* advertising to children of branded food and beverage products.<sup>1</sup> This means that participants agree not to advertise even better-for-you or healthier foods or beverages to children in elementary schools, including through the use of coupons, food samples, or through any student-directed items such as posters, pencils, book covers, or tray liners that advertise specific or product-branded food or beverage products.



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<sup>1</sup>This requirement applies prospectively and does not require companies to engage in costly efforts to remove pre-existing advertising on items such as scoreboards.

Of course elementary students may see branded products depicted or featured on menus, menu boards or other cafeteria signage that identify the products that are being served and offered for sale. The Initiative permits such depictions in conjunction with the offering for sale of food and beverage products. Additionally, showing generic or unbranded products, such as milk, fruit or cereal, in materials directed to children is not restricted. For example, such products may be shown as part of a public service campaign on healthy eating.

**Question 2. *Does the Initiative's restriction on advertising in elementary schools apply to just the classrooms or any area in the school?***

**A.** The requirement applies to the entire elementary school and school grounds and facilities, including classrooms, cafeterias, libraries, hallways, auditoriums, gyms, playgrounds and athletic fields. The restriction also covers school buses used to transport children to and from elementary school or to any official, school-sponsored event at an elementary school.

The Initiative does not apply to school-sponsored or school-related activities that take place off of school grounds. For example, on a field trip children may visit commercial entities, such as a sports arena or an amusement park, where advertising for food and beverage products is present, but is directed to a general audience. It also does not apply to events that are not sponsored by a school but that take place on school grounds/facilities because they have been leased or loaned to an outside group, and where unaccompanied children under age 12 are not expected to be the primary audience. Similarly, the use of school buses for non-school events is not covered by the Initiative. The Initiative also does not apply, for example, to public (non-school) transportation, libraries, parks or recreation facilities that are frequented by children.

**Question 3. *How does the Initiative define an “elementary” school?***

**A.** Under the Initiative an elementary school means K-6, which covers the grades for children under 12. In school districts where elementary, middle and/or junior high school students may be combined (i.e., K-8), the restriction does not apply to those areas designated primarily for 7th and 8th grader use. Facilities such as playgrounds or athletic fields that various schools may share are subject to the guidance above.

**Question 4. *Does the Initiative’s restriction on advertising branded food and beverage products apply only during the regular school day?***

**A.** No. It applies to the regular and extended school day when children are under the control of the school or third parties on behalf of the school. This means that the time period before or after the official school day is covered as well as the time during transportation to and from school and official school-sponsored events. It does not apply to school events held after the extended school day, such as a “Family Night,” where parents and elementary school children are attending together.

**Question 5. *Does the Initiative cover the participants’ activities in all elementary schools in the United States?***

**A.** The Initiative applies to the participants’ activities in public, private, parochial, and charter elementary schools in the 50 states and the District of Columbia. The participants are making pledges for their U.S. operations. In many cases, Puerto Rico and other U.S. territories and possessions are not organized as part of the participant’s U.S. domestic operations.

## C. The Activities in Elementary Schools That Are Covered and Excluded by the Initiative

**Question 1. *Does the Initiative's restriction on advertising mean that children will never see the participants' brands or logos in an elementary school?***

**A.** No. The Initiative's focus is on restricting *advertising*, not the *sale*, of the participants' food and beverage products in elementary schools. Many of the participants have food and beverage products that are offered for sale in schools. Children naturally will see brand names and logos on those products, on the racks or other devices that hold the items, on placards on counters identifying products that food service personnel are serving, or on menus that schools prepare and distribute.

Outside the food service area, in limited circumstances that are controlled by the school or school groups, children also may see corporate names or logos. For example, participants are permitted to sponsor public service messages, to make charitable donations, and to facilitate charitable fundraising activities in partnership with or at the request of schools.



**Question 2. *Why does the Initiative exclude certain activities from its scope?***

**A.** When the Initiative was created, four separate types of activities were explicitly excluded because, for example, they did not involve commercial sales messages or were activities that were initiated by or in support of schools. The four exclusions are discussed below. The BBB also now is clarifying that, for purposes of the Initiative's elementary school advertising restrictions, certain other activities do not constitute advertising of food or beverage products to children. See questions 3-6 below.

- **Food and Beverage Displays.** Schools sell branded products in schools. Accordingly, the Initiative permits displays of the products being offered for sale, along with branded display units, such as racks, coolers, refrigerator cases, and appropriate signage in serving areas. Such ordinary and regular signage is permitted in conjunction with the sale of foods and beverages to identify the products for purchasers as well as for personnel who stock the display racks or devices. Separate free standing materials, such as posters or tray liners, that feature specific products or brands and that are not tied or related to identifying the items being offered for sale are not permitted under the Initiative.<sup>2</sup>

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<sup>2</sup>The Alliance for a Healthier Generation (AHG), a partnership between the American Heart Association and the William J. Clinton Foundation, has created voluntary nutrition standards for foods and beverages sold in schools outside of the National school meal program. Many companies who are participants in the BBB Initiative also are participants in the AHG program. For more information, visit [www.healthiergeneration.org](http://www.healthiergeneration.org).

- **Charitable Fundraising.** The Initiative recognizes that schools, school groups, or parent organizations may choose to sell participants' products as fundraisers or participate in programs they offer to raise money or obtain needed equipment or other merchandise for the benefit of the school or its organizations. Some well-known examples include the General Mills Box Top for Education program and the Campbell Labels for Education™ program. Under these programs, which are facilitated by schools, parents, teachers, or parent organizations, labels from qualifying products are collected in schools and then redeemed for merchandise or cash for the school's benefit. Other fundraising activities, organized or facilitated by schools or school-based groups, may involve the sale of a participant's products at or during school or may take place offsite, such as at a local restaurant, but be promoted within the school.
  
- **Items Given to School Administrators.** The Initiative is focused on advertising that is directed primarily to children under 12. It is not designed to limit advertising or other communications directed to adults that may incidentally be viewed by children. The Initiative recognizes that food and beverage (and other) companies work closely with school food service personnel, nutritionists, administrators, or educators in the regular course of business or on philanthropic or public service messaging campaigns. In the course of their business relationships they may provide, for the personal use of these adults, mementos or promotional items of nominal value that are marked with a corporate or food brand name or logo. These could include, for example, calendars for the office or cafeteria staff or caps or aprons that might be worn by food service personnel. Although in the normal course of the school day elementary school children might see such objects, because this is not advertising directed to them, the Initiative does not restrict this practice.

- **Public Service Messaging.** The Initiative recognizes the important role that companies can play in providing school officials with public service messages that they may, in their discretion, make available to their students. Public service messaging could be about, for example, nutrition, physical fitness, reading or self-esteem. The Initiative allows participants to provide schools such messages, which may be conveyed in a variety of ways or mediums, including through personal appearances of spokes-characters or third-party celebrities, taped announcements featuring celebrities, posters or functional items, such as book covers. As a matter of transparency, these messages may identify the sponsor. The identification may not, however, be the focal point or centerpiece of the message. These materials also may not include any sales messages or depictions of the participant’s actual branded food or beverage products.

**Question 3. *Does the Initiative allow participants to make informal gifts or in-kind donations to elementary schools?***

**A.** Yes. Teaching materials that do not contain sales messages, embed a participant’s specific or branded food or beverage products, or reference branded food or beverage products, fall outside the scope of the Initiative as these materials do not constitute advertising of food and beverage products to children in elementary schools. As with public service messaging, such materials may identify the sponsor or provider of the materials.

**Question 4. *Does the Initiative allow participants to sponsor food reward or incentive programs in elementary schools?***

**A.** The Initiative respects the rights of school administrators to partner with companies for food or beverage rewards that they believe will assist or motivate students, and permits participants to sponsor such programs as long as these programs are marketed to parents or guardians. This means participants may engage in or offer food or beverage reward programs for elementary school children's achievements (e.g., reading a certain number of books, achieving good grades, or earning good conduct marks) if they are not advertised to the students (e.g., no posters about a participant's program would be permitted to be posted in an elementary school). As with other school communications directed to parents (e.g., permission slips, requests for fees, order forms) adult-directed marketing materials about a school-requested or controlled reward program may be transmitted to parents by children.

**Question 5. *Does the Initiative permit participants to make charitable donations to elementary schools, provide sponsorships or underwrite events in elementary schools?***

**A.** Yes. Many participants have formal charitable gift giving programs to provide schools (often schools serving underprivileged students) with materials or equipment they need but cannot afford, or funding for enrichment events that those students might otherwise not experience (e.g., underwriting of field trips to concerts or art exhibits). These programs, for which corporations may be entitled to charitable tax deductions, if they meet applicable regulations, are outside the scope of the Initiative.

**Question 6. *Does the Initiative allow participants to make informal gifts or in-kind donations to elementary schools?***

**A.** Yes. Participants may offer in-kind donations and otherwise cooperate with schools in furthering the school's mission consistent with the principles of the Initiative. For example, a school may ask a participant to donate ready-to-eat or packaged food products or to provide free plates or cups for an event it is holding to defray its costs. Making in-kind donations of fresh, ready-to-eat or packaged food or of items from existing inventory or obsolete products is permitted. It is not practical and the Initiative does not require participants to change packaging, strip existing labels off or cover logos on materials when making a donation in cooperation with a school or an authorized representative for the school.