

CHILDREN & Foodstuffs Marketing

The spread of obesity, especially in children, is a cause of concern everywhere in Europe. Overweight in Finnish children has also increased significantly in the past couple of decades. Environment, availability, parents, friends and school in turn influence the factors that regulate the development of children's weight, i.e. dietary choices and exercise. Research indicates that also the volume and contents of advertising aimed at children shape consumption habits. Most of the foodstuffs marketed to children contain high levels of fat, sugar or salt. This is in conflict with public health goals and the World Health Organisation's global strategy to promote healthy nourishment and exercise.

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The Consumer Agency, the Consumer Ombudsman and the National Public Health Institute have drafted this recommendation as a guide for advertisers to use when planning marketing of foodstuffs to children. The National Food Agency and the National Board of Education participated in their expert capacity.

Foodstuffs marketing can be assessed on the basis of the relevant provisions of both the Consumer Protection Act and the Food Act. The provisions of the latter are not dealt with in this recommendation; instead, their interpretation has been studied in monitoring guides published by the National Food Agency. In addition to what is presented here, marketers must also take the provisions relating to the safety of foodstuffs and package markings into consideration.

According to the dominant values in our society, the health and welfare of children is regarded as something important and to be aspired to. Whether or not marketing is contrary to good practice or inappropriate is appraised in the light of the values and principles generally accepted in society. Thus when the legality of marketing is appraised, the prevailing public health goals that we want to promote in our society must be taken into consideration. Alongside the ground rules of marketing, also some examples of rulings by the Market Court and decisions issued in the course of the Consumer Ombudsman's oversight work are outlined in this recommendation.

Several reviews of the effects that foodstuffs marketing has on children's diet have been made. The contents and volume of advertising contribute to influencing consumption habits, especially where children and adolescents are concerned. The reviews indicate that advertising influences not only preferences for certain brands (which chocolate bar is chosen) in general, but also the choices that young people make with respect to food (whether to choose sweets or fruit). Dietary habits are learned and internalised already in early childhood. The overwhelming majority of the foodstuffs advertising aimed at or reaching children and adolescents is for sugary cereals, soft drinks, sweets, potato crisps and hamburgers. A typical feature of marketing for these products is that they are associated with children's heroes and cartoon characters, fun, free gifts of toys and competitions. The more children and adolescents see this advertising, the more of the products in question they consume.

Those concerned about public health regard most of

the foods marketed to children and adolescents as unhealthy, i.e. as foods that contain high levels of fat, sugar or salt and are poor in fibre, essential trace elements, vitamins and other ingredients important from the perspective of health. A question often asked is whether there are such things as healthy or unhealthy food at all or just healthy or unhealthy diets. In any case, lavish use of foods that are rich in fat, sugar or salt contribute to the development of an unhealthy diet, whereas choosing alternatives that contain less unsaturated fats, sugar and salt and are rich in fibres is advisable with health in mind.

Minors are more susceptible than adults to the influences of advertising. Children believe in the truthfulness of advertising and do not have sufficient knowledge of the adverse effects on health that are associated with excessive use of products containing high levels of sugar, salt or fat. Children are also capable of having a considerable influence on their parents' purchasing behaviour. Appealing to children in advertising puts pressure on parents to buy particular products, although it is they who should have the primary right to decide what the family purchases. Through advertising, images of trendy choices and ways of life are created in the minds of children and adolescents, and the advertiser's aim is that these images should remain when the children have become adults. It is also possible to use advertising to make healthy products and habits appealing to children and adolescents.

Unhealthy dietary habits and lifestyles cause numerous kinds of adverse effects on health and chronic illnesses. The National Nutrition Council recently issued new nutrition recommendations based on equivalent Nordic and WHO recommendations. At the World Health Assembly in 2004, Finland was one of the countries that adopted the WHO's global strategy to promote healthy nutrition and exercise. A greater improvement in public health could probably be achieved through healthier dietary and exercise habits than through other measures.

Very many countries have regulations of various levels with the aim of protecting children from inappropriate and harmful foodstuffs advertising. The Confederation of the Food and Drink Industries of the EU (CIAA) has also issued a recommendation concerning marketing aimed at children. In Finland, the Consumer Ombudsman's general ground rules applicable when marketing to minors have been compiled in the set of guidelines *Minors, Marketing and Purchases*, which was published in 2004.

¹ Hastings, G., Stead, M., McDermott, L., Forsyth, A., MacKintosh, A.M., Rayner, M., Godfrey, C., Caraher, M. & Angus, K. (2003). Review of the research on the effects of food promotion to children. London: FSA.

² Valtion ravitsemusneuvottelukunta (2005): Suomalaiset ravitsemussuosituksset – ravinto ja liikunta tasapainoon.

³ Hawkes, C. (2004). *Marketing Food to Children: the Global Regulatory Environment*. Geneva: WHO.

THE HEALTH PERSPECTIVE

Surveys indicate that the factors in the background to increasing obesity include lack of exercise, irregular meal-times and unhealthy dietary habits. In particular, the growing popularity of sugary soft drinks and sweets has increased their share of energy intake. Likewise, growing consumption of pizzas and similar fast foods is increasing intakes of fat and salt. The adverse effects that a diet rich in salt and saturated fats has on inter alia blood pressure and blood cholesterol level have been well demonstrated. The saltiness of food as well as the quality and quantity of fat are matters of habit. If a child gets used to food that contains little salt and moderately good fat, it will probably continue to eat this kind of food later in life as well.

A further cause of concern is that, alongside increasing obesity, a downward trend in blood cholesterol levels among also the younger segment of the population has ended and a new upswing has begun. Increasing obesity has also brought other health problems, such as the occurrence of type 2 (adult) diabetes already in children and adolescents. Besides obesity, the occurrence of dental caries is also clearly linked to dietary habits. In Finland, the development of dental health in children and adolescents has in recent years ceased to be positive.

Efforts to promote sales of foodstuffs are often in conflict with public health goals. Marketing of goods with the aid of various volume discounts and increasing the package and portion sizes in which foodstuffs are sold easily become an inducement to excessive consumption. Advertisers should ponder whether promoting sales of sweets, soft drinks and hamburgers with the aid of toys that interest children or powerful marketing by means of volume discounts are in harmony with public health goals. And is the period when children and adolescents are watching TV programmes made for them the right time to advertise sweets and soft drinks?

The range of soft drinks and sweets available in vending machines at schools is in conflict with the health education that these schools provide. Nor do the large commercial advertisements on these machines suit schools, the purpose of which is not to function as a marketing channel, but rather as an educator and impartial distributor of knowledge. Vending machines maintained by student bodies are justified in the lights of these bodies' need to earn revenue, but must not supersede the health perspective. It would be possible to replace the products they sell with healthier alternatives. Good examples of this can already be seen in some schools.

It is difficult for parents to instil healthy dietary habits in their children if advertising aimed at children is mediating diametrically opposite attitudes at the same time. Marketing should support consumers' interest in their own health and promote consumption of healthy alternatives. Indeed, it is reasonable to demand that the business sector shoulder social responsibility with regard to the kind of foodstuffs marketing is aimed at children and adolescents.

All in all, it would be preferable with regard to a child's

health education for restraint to be observed in marketing "unhealthy" products to children and to refrain from employing means that have a strong emotional appeal to children. Similarly, it would be desirable for advertising of "healthy" foods to increase its share and to have advertising include also suitable references to other healthy habits such as exercise.

WHO DECIDES?

Who decides what a child eats?

Who is raising children - who should decide?

Who is the advertising message aimed at?

The UN Convention on the Rights of the Child demands respect for the child's human dignity and that parents be guaranteed peace in which to bring up their children. The Convention defines "child" as meaning "every human being below the age of eighteen years". The Constitution of Finland requires that children be treated equally and as individuals. It also requires the public authorities to support families and others responsible for providing for children so that they have the ability to ensure the wellbeing and personal development of the children. The Child Welfare Act states that "a child is entitled to a secure and stimulating growing environment and to a harmonious and well-balanced development. A child has a special right to protection." Marketing with the aim of undermining its parents' possibility to act fully in their capacity as its guardians is contrary to good practice.

Minors are more susceptible than adults to the influences of advertising and it is easier to get them interested in the product being marketed. However, parents have a right, as their children's guardians, to decide what the family buys, without pressure to purchase particular items being put on them by appealing directly to the children. Advertising must not call parents' power of decision into question nor give a child a false conception of its own power.

The Market Court banned marketing of a hamburger meal in such a way that a child makes a direct demand or appeal to buy the product. (Case 1987:13)

In the TV ad for a hamburger meal, the company's mascot dog wandered adventurously in a world of imagination and beckoned with its paw to children, enticing them to follow it into a restaurant. The Consumer Ombudsman reminded the company that marketing in which direct exhortations to buy are addressed to children is unsuitable. (2003/40/2952)

It must additionally be taken into consideration that advertising can reach children despite the fact that it is not directly aimed at them. Advertising of this kind must be appraised in the same way as advertising aimed specifically at children. Thus the times when ads are broadcast and the programmes in conjunction with which this is done must be taken into consideration in television and radio

advertising. Children are also exposed to advertising presented in cinemas before children's films or on children's videos.

GOOD ADVERTISING PRACTICE

Whether something is inappropriate or contrary to good practice is appraised in the light of the values and principles that are generally accepted in society and reflected in inter alia the laws and other regulations in force. In accordance with the prevailing values in our society, the health and wellbeing of children is seen as something important and to be aspired to, and about which parents are often concerned. Marketing that does not accord with these generally accepted principles is always also contrary to good practice. Examples of the things that the Market Court has found to be inappropriate marketing include unnecessary use of violence, discrimination on the basis of gender or origin or presenting inappropriate behavioural models to children.

The requirements that good marketing practice must satisfy are appraised also on the basis of what kinds of needs different groups of consumers have with respect to protection. Marketing aimed at minors must be appraised more strictly than on average. That is because minors, due to the limited nature of their knowledge or experience, can be regarded as unusually susceptible to the influences of marketing. This principle is reflected in several rulings of the Market Court.

Can one win friends with sweets?

Does a hamburger ease loneliness?

Can chocolate compensate for a dear friend?

Do some foodstuffs create quality time together for the family?

It is not acceptable in advertising to invoke parental responsibility for upbringing by prompting a sense of guilt. The impression that a parent will succeed in his or her task of bringing up a child by acquiring a particular product should not be given in advertising.

An advertisement featured a mother, who said she wanted the best for her children and offered them a lollipop containing real fruit when they wanted sweets. The Consumer Ombudsman found the advertisement to be contrary to good practice, because it appealed to parents and exploited their concern for their children's health by emphasising the healthy character of the product even though in reality it contains mainly sugar. (2005/40/3273)

Nor is it permissible in advertising to appeal to a child's

emotions by exploiting its lack of experience and its credulity. Advertising must not create the impression in the minds of children that human dignity, quality of life and good social relations can be compensated for or obtained with food.

A minor's loneliness in conjunction with a family moving house was depicted in an advertisement. Buying a hamburger meal was associated with happiness and a gathering of friends. The Market Court found the advertising contrary to good practice, because it gave the impression that the product being marketed would compensate for friends or reduce loneliness. (Case 1990:16)

Sweets were advertised with the text "You'll win friends with sweets." The Consumer Ombudsman found the advertisement to be contrary to good practice, because it gave consumers to understand that loneliness could be overcome by buying sweets. (1996/40/0989)

It should additionally be taken into consideration that children generally trust their parents' expertise and an advertising message presented by a parent easily acquires special weight in a children's eyes.

The mental image that the lollipop advertisement conveyed to children was that the mother considered this product to be an especially recommendable and healthy choice for her children. The Consumer Ombudsman found the advertisement to be contrary to good practice, because in it the parental role model was exploited in a way that gave the child a misleading impression of the product's properties. (2005/40/3273)

Children and adolescents also easily identify with their idols and through them embrace consumption habits. Therefore attention should be paid in advertising to the kinds of dietary habits that are promoted with the aid of idols.

Indifference to the safety of others as a behavioural model?

Yoghurt gives energy to rush about in disorder?

Chocolate cigarettes for children?

Marketing is one way of mediating the prevailing values in our society and it also in many ways influences the picture of the world that consumers exposed to it have. In children and adolescents their picture of the world is still taking shape and therefore it is also more susceptible to influences. Behavioural models in advertising easily influence children. That is why advertisements must not present situations in which people act in ways that are contrary to the values generally accepted in society or situations that could lead to a child injuring itself or others if it mimicked them.

In a yoghurt advertisement a child wearing spring boots bounces around, bumping into other people and knocking over sales counters. Although an adult consumer would see these events as exaggerated and imaginary, a

child could perceive them as more realistic. The Market Court found the advertisement to be contrary to good practice, because in it indifference and a reckless attitude to the safety and property of others were presented as acceptable behaviour. (Case 1995:16)

A cereal package bore a picture of a small boy wearing a cowboy hat and with two pairs of open scissors hanging from his belt. The Consumer Ombudsman ruled that, although the picture in question was probably intended to depict an imaginary situation, a child seeing it could understand it in a different light and adopt it as a model for games. Advertisements must not contain depictions of situations that could lead to a child harming itself or others if it mimicked them. The marketing in question was contrary to good practice. (2005/40/1512)

Nor may advertising contain elements that frighten children.

Ice cream was marketed in a children's magazine and at bus stops with the aid of a devil figure. The Consumer Ombudsman took the view that marketing aimed at children and scaring them as a means of adding effectiveness is inappropriate. (98/40/1074)

Bread rolls were marketed on television in the early evening using a horror story as an effect. The Consumer Ombudsman considered the advertisement inappropriate, because it contained elements that frightened children and was screened at times when small children were watching television. (99/40/1814)

Alcohol or tobacco must not be marketed to minors even indirectly, for example by including references to the use of such products in marketing.

Sweets were marketed in a package resembling a cigarette pack. The Consumer Ombudsman pointed out that marketing includes more than just ads on TV or in print media. Also product packaging is a part of the marketing that is appraised on the basis of the Consumer Protection Act. It is illegal to familiarise children with tobacco products and use chocolate cigarettes to create a positive image of smoking. (2001/40/4822)

Acceptance through eating or not eating?

The image of people that advertising creates does not often accord with everyday reality. Certain models of appearance are often created and idealised in advertising and pressures are put on adolescents, and indeed even children, to look a certain way. The borderline between ordinary people and the model presented in advertising can easily become blurred when the target group involved comprises persons whose image of people is still only taking shape. It is fair to demand that advertisers shoulder social responsibility with respect to the kinds of role models and attitudes that are created in advertising aimed at children.

A girl of about ten says in an advertisement that she likes a lollipop because it contains 0% fat. The Con-

sumer Ombudsman deemed the advertisement inappropriate, because the impression created in it was that the product in question is a healthy snack since it does not contain fat and the message it conveyed, through the mouth of a child, was that children and adolescents should already be checking the fat content of products and paying attention to weight control. (2003/40/3721)

Get more chocolate by harming a pal?

Do naked pictures belong on chewing gum wrappers?

Violence can be used as a means of adding effectiveness to advertising only in the rare cases where there is a natural connection between its depiction and the products being marketed. Violence may not be used at all in marketing aimed at children. Children do not usually have a conception of the consequences of violence, for example the kind of injury that a single punch or kick can cause.

A television ad for throat pastilles featured a basketball game in which the players clashed violently. In the Consumer Ombudsman's view, the ad was contrary to good practice, because there was no natural connection between the violence depicted and the product being marketed and violence was used only to attract the attention of viewers. (2001/40/5322)

In a television ad for a chocolate bar, a man steers his tandem cycle under a low branch with the result that the woman sitting behind him hits her head against the branch and falls out of the saddle. The man pedals on, gobbling the chocolate with a look of satisfaction on his face. The Consumer Ombudsman ruled that the ad was contrary to good practice, because it portrayed the use of violence and endangering someone else's health as justifiable behaviour in order to get a bigger portion of chocolate. In addition, the story that the ad told gave children a behavioural model that reflected indifference about the life and health of other people. (2005/40/1835)

Children have a right not to be exposed to stimuli that do not suit their age and level of development. A child's world of experience does not make it possible to understand sexual activity. Since young people's perception of self-image and sexuality is still taking shape, the image of the human being that advertising creates influences this process of development.

Chewing gum was marketed in a cardboard box illustrated with pictures of a woman naked from the waist up. The Consumer Ombudsman found the marketing to be inappropriate, since an association had been created between a product that interested especially children and naked pictures that materialised women and were in no way factually connected with the product being marketed. (2002/40/4414)

MISLEADING ADVERTISING

Should an advertiser warn of fat and sugar?

If a "light" product is being advertised, should information about salt and sugar also be provided?

Information about the nutritional effects of foodstuffs influence consumers' decisions about what they buy. Marketing is appraised on the basis of the overall impression it conveys. Marketing that contains even correct information can be misleading if information that is important from the perspective of the totality is not made available to consumers or is presented unclearly.

An advertisement must not give a misleading impression or entice people into adopting unhealthy dietary habits. If a claim relating to some or other healthy property of a product is made in marketing, any other "more unhealthy" property that it may possess must be clearly highlighted. For example, fat-free foodstuffs may contain very high levels of sugar. When the fat-free nature of a product is emphasised, care must be taken to avoid giving a misleading impression that it is healthy also in other respects.

Information about a product's composition must be stated clearly and unambiguously in terms that the consumer understands. General and ambiguous expressions should be avoided. For example, the marketing claim "contains less sugar" provides no information at all about the actual sugar content. The claim can also be misleading if the product does not contain any less sugar than other products belonging to the same category. Therefore it is advisable in general for only significant and relevant information about the nutritional contents of a product to be mentioned in marketing.

When the use of nutrition-related claims is appraised, also other products belonging to the same category are taken into account. For example, using the term "fat-free" in marketing is misleading if the products in question generally contain no fat.

The product's fat-free status was strongly emphasised in an advertisement for a lollipop and the impression given that it was a healthy snack. The Consumer Ombudsman took the view that emphasising the fat-free status of a product belonging to a family that generally contains no fat in order to create the impression that it was a healthy product was misleading marketing. (2003/40/3721)

The main message in an advertisement for fruit juice was that the juice contains less sugar and more fruit. However, by how much the sugar level had been lowered and what amount of fruit had been added was not stated in the advertisement. The expressions used were so ambiguous that it was not possible to decide on their basis what the actual composition of the juice was. The Consumer Ombudsman reminded the company that marketing containing even correct information can be misleading if information that is significant from the perspective of the totality is presented unclearly. (2005/40/3827)

A child does not have the same ability as an adult to assess the purpose of advertising. Children interpret advertising messages in very concrete terms and generally do not have

sufficient knowledge of the nutritional contents of various foodstuffs. Therefore, when sweets, soft drinks, potato crisps or other products containing high levels of sugar, salt or fat are advertised, the impression must not be given that the products would be an acceptable substitute for ordinary nutrition or recommendable as a snack.

The real fruit that the product contained was forcefully presented in both words and pictures in a lollipop advertisement. In reality, the fruit content was only about 3%. The Consumer Ombudsman pointed out that making the lollipop's fruit content the main message in the advertisement and creating the associated impression of a healthy product is misleading advertising when the product contains only a very small amount of fruit and in reality is composed mainly of sugar. (2005/40/3273)

MEANS OF MARKETING

A familiar cartoon figure features in an Internet adventure game on a package – pastime or covert advertising?

Irrespective of whether the target group is adults or children, the commercial purpose of marketing must always be clearly obvious. Small children are quite unable to distinguish between marketing and other information. It is only at the age of about 8 that a child realises that the purpose of advertising is to sell. When a child's inadequate ability to understand advertising is taken into consideration, the requirements with regard to recognisability of marketing become stricter than usual. The target group's age is taken into consideration when recognisability is being appraised in an individual case.

Covert or disguised advertising is never acceptable. Therefore advertising messages may not be included in pastime material or programmes. Marketing becomes less recognisable if it is dressed up as editorial material, e.g. a comic strip or an article. It is likewise forbidden for marketing to employ cartoon or other figures familiar to children, because a child can not immediately recognise it for what it is.

In addition, it must be taken into consideration that messages presented by familiar hero figures from comics and cartoons have a special appeal to children. Therefore, when these are used in marketing, attention must be paid to the kinds of dietary habits being presented with the aid of these figures.

In the TV ad for a hamburger meal, the company's mascot dog wandered adventurously in a world of imagination, enticing children to a restaurant. The Consumer Ombudsman found the advertisement inappropriate, because it had been couched as a tale that appealed to children and it emerged only at the end that what was involved was advertising. (2003/40/2952)

The importance of recognisability becomes more accentuated in the case of Internet advertising. Powerful effects are used on the Internet: moving pictures, sound and interactivity, with the aid of which children are drawn directly into the action by getting them to participate in marketing games.

Combining advertising with entertainment (as in so-called advergames) often leads to advertising not being recognisable as such.

Are collector's series the only way of ensuring that the product will be chosen a second time as well?

Store shelves full of products that are all the same – free gifts compete for the consumer's attention?

What is being advertised, foodstuffs or toys?

Marketing of free gifts in conjunction with products that interest children should be examined in the light of different criteria from those that usually apply. Children are not as able as adults to assess the value of an article of this kind. Since a free gift of little value in monetary terms can be more enticing to a child than the actual product, it is easy to influence a purchase decision by offering a free gift. That is why special care must be taken when marketing foodstuffs to ensure that presentation of a free gift does not become the main thing that interests a child in an advertisement or on a package.

A package shaped like a toy ship featured centrally in marketing, which was aimed at children, for a hamburger meal. The Market Court found the marketing inappropriate. (Case 1987:13)

The Market Court found marketing for a hamburger meal inappropriate, because a toy that the meal included was presented as the main feature in the advertisement, leaving the product itself in a secondary role. (Case 2002:7)

If a collector's series is associated with a product, collecting the series can easily become the main thing for a child. Marketing must not cause situations in which minors pressure their parents to buy a certain product only because of the collector's items that come with it. Parents have the right to decide what the family purchases without a child's eagerness to collect being exploited in marketing of the main product. That is why collector's series of a kind that can be acquired only by buying a product must not be associated with foodstuffs.

As a supplement with a children's magazine, a company distributed a cartoon with empty speech bubbles. The texts to put into the bubbles were obtained by removing the labels from lemonade bottles. A label containing a speech bubble text could mean more to a child than the beverage. The Consumer Ombudsman expressed the view that marketing aimed directly at children and appealing to their enthusiasm for collecting is inappropriate. (1104/41/79)

A company marketed chocolate bars in packages containing collector's pictures of ice hockey players. The products and their packages contained numerous exhortations to buy. The Consumer Ombudsman found it probable that children would buy the product only to get the collector's pictures and pointed out that exploiting a child's enthusiasm for collecting is an inappropriate marketing measure. (1992/40/1341)

The Consumer Ombudsman has required companies marketing breakfast cereals to undertake not to use a collector's series that interests children as a free

gift if obtaining the various items in it presupposes buying the product. The companies have given an undertaking to bring their marketing into compliance with the regulations. (2003/40/2390, 2004/40/5849, 2005/40/0686)

An advertisement for fruit-flavoured curds was aimed at children and consisted almost entirely of a presentation of the collector's series that was offered as a free gift with the product. Children were also urged to collect the toys. The Consumer Ombudsman deemed the advertisement inappropriate, because in it, in addition to urging children to collect, it predominantly emphasised a collector's series that interested children and all of the items it included could be obtained only by buying the product. (2005/40/5689)

Which lemonade will I buy – where is the best competition win?

Marketing lotteries are sweepstakes or competitions held in order to promote the sales of a product, in which a consumer can win a benefit based on chance. The general rule is that it must also be possible to participate in the lottery or competition without purchasing the product. The presentation of the lottery must not dominate the marketing to the extent that the product itself is in a secondary position. Nor may an unrealistic impression of the chance of winning be given.

Competitions and lotteries aimed at children are subject to stricter regulation. Children are not as capable as adolescents or adults of making a realistic assessment of the improbability of winning a prize. They easily base their decision to purchase on an enticing prize only. For these reasons, sweepstakes or competitions in which one can participate by buying a product should not be aimed at children. Nor may these means of sales promotion be presented on a package in a manner that appeals to children.

As a means of promoting sales of chocolate bars, a company had arranged a competition in which it urged 12-19-year olds to collect five of the chocolate bar wrappers or advertisements depicting them. Since it was substantially easier to take part in the competition by buying the bars than to search for and cut out the pictures, the marketing was deemed inappropriate. (Market Court, case 1979:6)

The prize in a lottery presented in an advertisement was especially interesting to children. The expression "ring and win" was used in it. The manner in which the alternative ways of participating were presented was likely to give a child the impression that the only way to take part in the lottery was to ring a telephone number for which there was a charge. The Market Court ruled that the marketing was inappropriate. (Case 1995:16)

A label with a lucky number to be used to take part in a lottery in which the prize was a yo-yo was attached to soft drink bottles. Children, at least, could gain the impression from the label that only with the aid of the lucky number and by buying the product could they take part in the lottery. The marketing was inappropriate. (Market Court, case 1996:12)

