

表2 イギリス Food Standard Agency および韓国 Ministry of Food and Drug Safety の HFSS 食品・飲料の定義

イギリス Food Standard Agency による定義 <sup>14)</sup>	韓国 Ministry of Food and Drug Safety による定義 <sup>15, 17)</sup>
<食品>	<食品>
100g 当たり	1 食のサービング (あるいはポーション) *当たり
不飽和脂肪酸 : >20.0g, 飽和脂肪酸 : >5.0g, 糖類 <sup>1</sup> : >12.5g, 食塩 : 1.50g	エネルギー : >1000kcal, 飽和脂肪酸 : >8g
1 食のサービング (あるいはポーション) *当たり	エネルギー : >500kcal かつたんぱく質 : <9g
不飽和脂肪酸 : >21.0g, 飽和脂肪酸 : >6.0g, 糖類 <sup>1</sup> : >15.0g, 食塩 : >2.40g	エネルギー : >500kcal かつナトリウム : >600mg
	飽和脂肪酸 : >4g かつたんぱく質 : <9g
<飲料>	<スナック (飲料も含む) >
100ml 当たり	1 食のサービング (あるいはポーション) *当たり
不飽和脂肪酸 : >10.0g, 飽和脂肪酸 : >2.5g, 糖類 <sup>1</sup> : >6.3g, 食塩 : 1.50g	エネルギー : >500kcal, 飽和脂肪酸 : >8g, 糖類 <sup>2</sup> : >34g
	エネルギー : >250kcal かつたんぱく質 : <2g
	飽和脂肪酸 : >4g かつたんぱく質 : <2g
	糖類 <sup>2</sup> : >17g かつたんぱく質 : <2g

\*英語表記は, portion, serving size とそれぞれであったが, 共通して「1 食のサービング (あるいはポーション)」と訳した

<sup>1</sup> 単糖, 二糖およびその他の甘味料を含む「added sugar」

<sup>2</sup> 特に具体的な定義の記述はなく, 「sugar」と記載されている

表3 アメリカの the Children's Food & Beverage Advertising Initiative (CFBAI)の推奨および自社製品に対して企業が提示している栄養素プロファイル<sup>20)</sup>

the Children's Food & Beverage Advertising Initiative (CFBAI)の推奨*	企業 1**	企業 2**
<ジュース>	<すべての商品>	<フレーバー付きパウダーミルク>
1食のサービング (あるいはポーション) ***当たり	1食のサービング (あるいはポーション) ***当たり	1食のサービング (あるいはポーション) ***当たり
エネルギー : ≤160kcal	エネルギー : ≤200kcal	エネルギー : ≤170kcal
飽和脂肪酸 : 0g	総脂質 : 特記なし	総脂質 : ≤3g
ナトリウム : ≤140mg	飽和脂肪酸 : ≤2g	飽和脂肪酸 : ≤2g
糖類 <sup>1</sup> : 0g	トランス脂肪酸 : = 0g <sup>2</sup>	トランス脂肪酸 : = 0g <sup>2</sup>
<meals>	ナトリウム : ≤230mg	
1食のサービングのポーション(Meal)当たり	糖類 <sup>1</sup> ≤12g	
エネルギー : ≤600kcal		
飽和脂肪酸 : ≤10% kcal		
ナトリウム : ≤740mg		
糖類 <sup>1</sup> : 20g		
(2種類の内容が含まれている場合, 1種類の制限は15g)		

\*CFBAI では、製品を 10 のカテゴリー (ジュース, 乳製品, 穀類・果実・野菜, スープ類, 種実類, 肉・魚・家禽類製品, mixed dishes( Food and Drug Administration ( FDA) ,U.S. Department of Agriculture(USDA)定義の main dishes にあてはまらないもの), main dishes (FDA,USDA の定義), small meals, meals(FDA,USDA の定義)) にわけ, カテゴリーごとに健康的な食品・飲料としての推奨する栄養プロファイルを提示している。ここでは, 10 カテゴリーのうちの 2つのカテゴリー

\*\*CFBAI の推奨をもとに, CFBAI の推奨をそのまま使用している企業もあれば, 独自で自社製品の栄養素プロファイルを提示している企業もある。ここでは, 2企業の例

\*\*\* 英語表記は, labeled serving size, serving, meal とそれぞれであったが, 共通して「1食のサービング (あるいはポーション)」と訳した

<sup>1</sup> naturally occurring sugar および added sugar の両方を含む「total sugar」

<sup>2</sup> 食品一人前当たり, 油脂の加工由来のトランス脂肪酸含有量 0.5g 未満を意味する

# SPECIAL ACT ON SAFETY CONTROL OF CHILDREN'S DIETARY LIFE

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Act No. 8943, Mar. 21,  
Amended by Act No. 9432, Feb. 6,  
Act No. 9694, May. 21,  
Act No. 9932, Jan. 18,  
Act No. 10310, May 25,  
Act No. 10513, Mar 30,  
Act No. 10789, June 7,

## CHAPTER I GENERAL PROVISIONS

### Article 1 (Purpose)

The purpose of this Act is to contribute to promoting children's health by prescribing matters necessary for supplying safe and nutritionally balanced foods in order to help children acquire proper dietary habits.

### Article 2 (Definitions)

The terms used in this Act shall be defined as follows: (Amended by Act No. 10310, May 25, 2010)

1. The term "children" means students of a school prescribed in subparagraph 3 or children under the Child Welfare Act;
2. The term "children's preferred foods" means foods that children prefer or eat frequently among foods under the Food Sanitation Act or the Livestock Products Sanitary Control Act, which are prescribed by Presidential Decree;
3. The term "school" means an elementary school, middle school, high school or special school under Article 2 of the Elementary and Secondary Education Act;
4. The term "children's dietary life safety index" means a numerical value (hereinafter referred to as "dietary life safety index") obtained by evaluating the degree of implementation of policy on food safety and nutrition management for children and of improvement of the environment of manufacturing, selling or supplying children's preferred foods, group meals, etc.;
5. The term "high-calorie low-nutrient foods" means children's preferred foods likely to cause obesity or nutritional imbalance, which are higher in calorie and lower in nutritional value than the standards determined by the Commissioner of the Korea Food and Drug Administration.

Article 3 (Responsibility of State, etc.)

- (1) The State shall have the responsibility to establish and implement a policy to improve the safety and nutritional value of foods supplied to children so that children may grow healthily.
- (2) When the State and local governments establish and implement a policy to improve the safety and nutritional value of foods supplied to children, they shall maintain the principle of scientific rationality, consistency, transparency, promptitude and prevention.
- (3) Those who manufacture, process, cook, display or sell children's preferred foods and those who provide group meals shall endeavor to provide safe and nutritious foods, as prescribed by the relevant Acts and subordinate statutes.

Article 4 (Relationship with other Acts)

Except as expressly provided for the method of sanitary food handling, food safety management, etc. in this Act, the Food Sanitation Act, the School Meals Act and the Livestock Products Sanitary Control Act shall apply thereto. (Amended by Act No. 10310, May 25, 2010)

## CHAPTER II DESIGNATION AND MANAGEMENT OF GREEN FOOD ZONE

Article 5 (Designation of Green Food Zones)

- (1) The head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply) may designate and manage zones within 200 meters in a straight line from schools and the boundary lines of the relevant schools as Green Food Zones (hereinafter referred to as "Green Food Zone") in order to protect children by creating an environment for the sales of safe and sanitary foods.

(2) Detailed matters concerning Green Food Zones shall be prescribed by Presidential Decree.

Article 6 (Management of Stores in which Children's Preferred Foods are Cooked and Sold)

- (1) The head of a Si/Gun/Gu shall supervise the stores prescribed by Presidential Decree, in which children's preferred foods are cooked and sold within a Green Food Zone (hereinafter referred to as "snack stores").
- (2) In order to guide snack stores to cook, display and sell sanitary and safe foods, the head of a Si/Gun/Gu shall designate a person qualified as a consumer watchdog of food sanitation under Article 33 (1) of the Food Sanitation Act as a manager in exclusive charge of children's preferred foods (hereinafter referred to as "manager in exclusive charge"). (Amended by Act No. 9432, Feb. 6, 2009)
- (3) The funds of a Food Promotion Fund under Article 89 of the Food Sanitation Act may be used to pay expenses for the designation and operation of managers in exclusive charge. (Amended by Act No. 9432, Feb. 6, 2009)
- (4) Detailed matters concerning the method of managing snack stores, designation and extent of duties of managers in exclusive charge, etc. shall be prescribed by Ordinance of the Ministry

of Health and Welfare. (Amended by Act No. 9932, Jan. 18, 2010)

Article 7 (Designation, etc. of Exemplary Stores for Children)

- (1) The head of a Si/Gun/Gu may designate a store which satisfies the requirements for safe and sanitary facilities and do not sell high-calorie low-nutrient foods as an exemplary store in which children's preferred foods are sold (hereinafter referred to as "exemplary store"), and allow such exemplary store to use a logo, etc. prescribed by Ordinance of the Ministry of Health and Welfare, for labeling or advertisement. (Amended by Act No. 9932, Jan. 18, 2010)
- (2) Those who intend to be designated as an exemplary store shall file an application with the head of a Si/Gun/Gu having the jurisdiction over the location of such store in accordance with the methods, procedures, etc. prescribed by Ordinance of the Ministry of Health and Welfare. (Amended by Act No. 9932, Jan. 18, 2010)
- (3) Some expenses for the improvement and repair of kitchen utensils and facilities, and of facilities for display and sale may be subsidized from the National Treasury or a Food Promotion Fund under Article 89 of the Food Sanitation Act, as prescribed by Presidential Decree: *Provided*, That, where a person who has received subsidies fails to be designated as an exemplary store, he/she shall return the subsidized amount. (Amended by Act No. 9432, Feb. 6, 2009)

### CHAPTER III MANAGEMENT, ETC. OF CHILDREN'S PREFERRED FOODS

Article 8 (Prohibition, etc. of Sale of High-Calorie, Low-Nutrient Foods)

- (1) The Commissioner of the Korea Food and Drug Administration may determine and publicly notify the standards for nutritional ingredients of high-calorie, low-nutrient foods.
- (2) The Commissioner of the Korea Food and Drug Administration may limit or prohibit the sale of high-calorie, low-nutrient foods at any of the following places, as prescribed by Presidential Decree:
  1. Schools;
  2. Exemplary stores.

Article 9 (Prohibition, etc. of Sale of Foods, etc. Detrimental to Children's Emotional Health)

- (1) The Commissioner of the Korea Food and Drug Administration may prohibit selling foods detrimental to children's emotional health, such as foods inciting a gambling spirit, sexually stimulating, etc., or foods having such drawings or expressions, or prohibit manufacturing, processing, importing, cooking, keeping, transporting or displaying such foods for the purpose of sale:
  1. Foods made in the shape of money, Korean playing cards, cigarettes or liquor bottles;
  2. Foods in the shape of private parts of the human body which stimulate sexual curiosity;
  3. Foods sold by means of game machines, etc.;
  4. Foods corresponding to subparagraphs 1 through 3, which are determined by the Commissioner of the Korea Food and Drug Administration.

- (2) The shapes, drawings, expressions, etc. that can be prohibited pursuant to paragraph (1) shall be publicly announced by the Commissioner of the Korea Food and Drug Administration after deliberation by the Children's Dietary Life Safety Management Committee under Article 25.

Article 10 (Limitation and Prohibition of Advertisement, etc.)

- (1) No one who manufactures, processes, imports, distributes or sells children's preferred foods shall advertise that toys, other than foods, or other things spurring children to buy children's preferred foods are offered gratuitously through broadcast, radio or Internet media.
- (2) Where a person who manufactures, processes, imports, distributes or sells children's preferred foods advertises high-calorie, low-nutrient foods by television broadcast under subparagraph 1 (a) of Article 2 of the Broadcasting Act, the Commissioner of the Korea Food and Drug Administration may partially limit advertising hours or prohibit such advertisement.
- (3) Where the Commissioner of the Korea Food and Drug Administration intends to partially limit advertising hours or prohibit advertisement pursuant to paragraph (2), he/she shall determine and publicly announce high-calorie, low-nutrient foods subject to such limitation or prohibition.
- (4) The hours during which advertisement is limited pursuant to paragraph (2) and other detailed matters necessary for limitation and prohibition shall be prescribed by Presidential Decree.

## CHAPTER IV PROVISION, ETC. OF INFORMATION ON PROPER DIETARY LIFE

Article 11 (Labeling of Nutritional Ingredients)

- (1) If a business operator prescribed by Presidential Decree, that provides food services pursuant to Article 36 (1) 3 of the Food Sanitation Act, cooks and sells foods at a store in which mainly children's preferred foods are cooked and sold, he/she shall label the nutritional ingredients on such foods. (Amended by Act No. 9432, Feb. 6, 2009)
- (2) The Commissioner of the Korea Food and Drug Administration shall determine and publicly announce the labeling standards for nutritional ingredients under paragraph (1), and method, etc. thereof.

Article 12 (Labeling of Nutritional Ingredients with Colors and Codes)

- (1) The Commissioner of the Korea Food and Drug Administration may recommend the manufacturers, processors or importers of foods to determine grades, such as high, medium, low, etc. according to the quantity of nutritional ingredients, such as total fat, saturated fat, sugar, sodium, etc. contained in children's preferred foods prescribed by Ordinance of the Ministry of Health and Welfare, and to label color, such as green, yellow, red, etc. and code, such as a circle, etc. (hereinafter referred to as "labeling with colors and codes") according to the grades of respective foods so that children may easily recognize. (Amended by Act No. 9932, Jan. 18, 2010)

(2) Where the Commissioner of the Korea Food and Drug Administration recommends the labeling with colors and codes pursuant to paragraph (1), he/she shall have business operators clearly label the percentage of the daily reference intake of each nutritional ingredient occupied by the relevant nutritional ingredients of the respective children's preferred food in a circle, etc.

(3) The Commissioner of the Korea Food and Drug Administration shall determine and publicly announce the method, etc. of labeling with colors and shapes.

[This Article Wholly Amended by Act No. 9694, May 21, 2009]

Article 13 (Education and Publicity, etc. on Children's Food Safety and Nutrition)

(1) The Commissioner of the Korea Food and Drug Administration, a Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor, the Governor of a Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor"), the head of a Si/Gun/Gu, or the superintendent of a City/Do office of education shall conduct education and publicity relating to the safety of children's preferred foods, supply of nutrients, etc. according to the characteristics of individuals or groups, the condition of health and the level of health awareness so that all the children may lead a healthy and proper dietary life.

(2) The heads of elementary schools shall regularly conduct education on safety and nutrition necessary for the management of children's dietary life.

Article 14 (Standards and Labeling of Quality Certification)

(1) In order to encourage the manufacture, process, distribution and sale of safe and well-balanced children's preferred foods, the Commissioner of the Korea Food and Drug Administration may certify the quality of children's preferred foods meeting the quality certification standards (hereinafter referred to as "quality certification standards") publicly announced by the Commissioner of the Korea Food and Drug Administration.

(2) Quality-certified children's preferred foods under paragraph (1) (hereinafter referred to as "quality-certified food") may label diagrams or letters on the containers, packages, etc. (hereinafter referred to as "labeling of quality-certified food"), as prescribed by Ordinance of the Ministry of Health and Welfare. (Amended by Act No. 9932, Jan. 18, 2010)

(3) The Commissioner of the Korea Food and Drug Administration may entrust a government-funded institution or organization prescribed by Presidential Decree which is related to foods with the work of quality certification prescribed in paragraph (1). In such cases, expenses incurred in performing the work of certification, other than the fees under the latter part of Article 15 (1) shall be subsidized by the State.

Article 15 (Application for Quality Certification and Examination thereof)

(1) Where a person who manufactures, processes, imports or cooks children's preferred foods intends to label quality certification on such foods, he/she shall file an application with the Commissioner of the Korea Food and Drug Administration. In such cases, the person shall pay fees prescribed by Ordinance of the Ministry of Health and Welfare. (Amended by Act No. 9932, Jan. 18, 2010)

(2) Upon the receipt of an application pursuant to paragraph (1), the Commissioner of the Korea

Food and Drug Administration shall examine whether the relevant foods meet the quality certification standards.

- (3) A person who has an objection against the result of examination of quality certification prescribed in paragraph (2) may file an application for reexamination.
- (4) Matters necessary for the procedures for, methods, etc. of the application for quality certification of foods, examination and reexamination thereof shall be prescribed by Ordinance of the Ministry of Health and Welfare. (Amended by Act No. 9932, Jan. 18, 2010)

Article 16 (Period of Validity of Quality Certification)

The period of validity of quality certification shall be two years from the date of certification.

Article 17 (Prohibition, etc. of Wrongful Acts)

No one shall engage in any of the following activities:

- 1. Obtaining quality certification by wrongful means, such as deceit, etc.
- 2. Labeling quality certification or similar thereto on non-certified foods;
- 3. Selling foods, or storing, transporting or displaying foods for the purpose of sale while clearly being aware of the activities under subparagraph 2.

Article 18 (Cancellation of Quality Certification, Order to Modify Label, etc.)

(1) Where a person who has obtained food quality certification falls under any of the following subparagraphs, the Commissioner of the Korea Food and Drug Administration may cancel such certification or prohibit the use of the label during a specific period. (Amended by Act No. 10310, May 25, 2010)

- 1. Where he/she has obtained quality certification by wrongful means, such as deceit, etc.;
- 2. Where quality-certified foods cease to meet the quality certification standards;
- 3. Where foods manufactured or produced improperly have caused harm to a human body;
- 4. Where he/she fails to take the measures under paragraph (2), such as modification of labeling, suspension of use, prohibition of sale, etc. under paragraph (2), without justifiable reasons;
- 5. Where he/she has been subject to administrative dispositions, such as suspension of business operations, suspension of manufacturing the same kinds of quality-certified foods, suspension of manufacturing quality-certified foods, in violation of the Food Sanitation Act, the School Meals Act or the Livestock Products Sanitary Control Act, and the procedures for such dispositions remain in effect.

(2) Where children's preferred foods fail to meet the quality certification standards as a result of collection, examination, etc, the Commissioner of the Korea Food and Drug Administration may order the manufacturers, processors, importers, distributors or sellers of such foods to take necessary measures, such as modification of a label, suspension of the use of a label, prohibition of sale, etc.

(3) Detailed standards for cancellation of certification, modification of a label, suspension of the use of a label, etc. under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Health and Welfare. (Amended by Act No. 9932, Jan. 18, 2010)

Article 19 (Designation, etc. of Children's Health-Friendly Enterprises)

(1) In order to secure the safety of children's preferred foods and group meals and to improve



nutritional levels thereof, the Commissioner of the Korea Food and Drug Administration may designate a food business operator who serve as a pattern for others as a children's health-friendly enterprise (hereinafter referred to as "health-friendly enterprise").

- (2) Each food business operator who intends to be designated as a health-friendly enterprise shall file an application with the Commissioner of the Korea Food and Drug Administration, as determined by Ordinance of the Ministry of Health and Welfare. (Amended by Act No. 9932, Jan. 18, 2010)
- (3) Food business operators designated as a health-friendly enterprise may label or advertise as follows:
  1. Labeling a logo of health-friendly enterprise on the containers, packages, etc. of the relevant foods, or using such logo in an advertisement by persons who manufacture, process or import children's preferred foods;
  2. Attaching a logo of health-friendly enterprise to the signboard, etc., or using such logo in an advertisement by a snack store.
- (4) Articles 17 and 18 shall apply mutatis mutandis to health-friendly enterprises.
- (5) Matters necessary for the logo, labeling method, etc. of a health-friendly enterprise shall be prescribed by Ordinance of the Ministry of Health and Welfare. (Amended by Act No. 9932, Jan. 18, 2010)

Article 20 (Entrustment of Work of Designating Children's Health-Friendly Enterprises)  
The Commissioner of the Korea Food and Drug Administration may entrust the work of designating a children's health-friendly enterprise to a government-funded institution or organization prescribed by Presidential Decree which is related to foods. In such cases, expenses incurred in performing the work of designation shall be subsidized by the State.

## CHAPTER V CENTER FOR CHILD-CARE FOODSERVICE MANAGEMENT

Article 21 (Establishment and Operation of Centers for Child-Care Foodservice Management)

- (1) In order to support the management of sanitation and nutrition by the following group meal facilities that provide group meal services to children, a Mayor/Do Governor or the head of a Si/Gun/Gu may establish and operate a center for child-care foodservice management. In such cases, the heads of the relevant Sis/Guns/Gus may establish and operate a joint center for child-care foodservice management: (Amended by Act No. 10789, June 7, 2011)
  1. Group meal facilities for nurseries in which infants and toddlers are cared for after being entrusted by guardians, as prescribed by the Infant Care Act;
  2. Group meal facilities for kindergartens established and operated for education of toddlers, as prescribed by the Early Childhood Education Act;
  3. Group meal facilities for schools subject to group meals, as prescribed by the School Meals Act;
  4. Other group meal facilities prescribed by Presidential Decree, in which group meals are

provided to children.

- (2) Centers for child-care foodservice management established under paragraph (1) may either be a juristic person or entrust their operation to a food-related institution or organization designated by Presidential Decree, and may be operated after integrating with school meal service support centers under Article 5 (4) of the School Meals Act. (Amended by Act No. 10513, Mar. 30, 2011)
- (3) The number of dieticians and persons responsible for sanitation duties working at a center for child-care foodservice management as prescribed in paragraph (1), scope of duties, and establishment and operation thereof shall be prescribed by Presidential Decree.
- (4) Pursuant to paragraph (1), the State or local governments may subsidize some of expenses incurred in the establishment, operation, etc. of centers for child-care foodservice management as prescribed by Presidential Decree, or have a Food Promotion Fund under Article 89 of the Food Sanitation Act support some of such expenses. (Amended by Act No. 9432, Feb. 6, 2009)

Article 22 (Special Cases concerning Employment, etc. of Dieticians)

- (1) Notwithstanding Article 52 of the Food Sanitation Act, group meal facilities registered at and managed by the centers for child-care foodservice management, which ordinarily provide meals to not more than 100 persons at a time, may choose not to have a dietician. Provided, That in cases of group meal facilities of schools under Article 21 (1) 3 shall have a dietician. (Amended by Act No. 9432, Feb. 6, 2009)
- (2) Matters necessary for the management of registration under paragraph (1), and procedures, etc. thereof shall be prescribed by Ordinance of the Ministry of Health and Welfare. (Amended by Act No. 9932, Jan. 18, 2010)

## CHAPTER VI ESTABLISHING SAFETY MANAGEMENT SYSTEM FOR DIETARY LIFE

Article 23 (Survey, etc. on Dietary Life Safety Index)

- (1) In order to objectively assess the safety and nutrition level of children's dietary life, the Commissioner of the Korea Food and Drug Administration shall regularly survey the dietary life safety index as prescribed by Presidential Decree and publicly announce the results thereof.
- (2) The Commissioner of the Korea Food and Drug Administration may entrust organizations or institutions prescribed by Presidential Decree with the survey on dietary life safety index under paragraph (1). In such cases, expenses incurred in such survey shall be subsidized by the State.
- (3) Matters necessary for the items of a dietary life safety index survey under paragraph (1), and methods, etc. thereof shall be determined and publicly announced by the Commissioner of the Korea Food and Drug Administration.

Article 24 (Assessment, etc. of Safety and Nutrition Level of Si/Gun/Gu Dietary Life)

- (1) The Commissioner of the Korea Food and Drug Administration may use the dietary life safety index under Article 23 (1) to assess the safety and nutrition level of a Si/Gun/Gu (referring to an autonomous Gu; hereinafter the same shall apply) dietary life, and publicly announce the results thereof.
- (2) Matters necessary for the procedures for assessment of the safety and nutrition level of dietary life, and methods, etc. of assessment shall be prescribed by Ordinance of the Ministry of Health and Welfare. (Amended by Act No. 9932, Jan. 18, 2010)

Article 25 (Children's Dietary Life Safety Management Committee)

- (1) In order to respond to inquiries by the Commissioner of the Korea Food and Drug Administration and to deliberate on matters necessary for the safety management of children's dietary life, such as the safety of children's preferred foods, group meals, etc., and management, etc. of nutrition, a Children's Dietary Life Safety Management Committee (hereinafter referred to as the "Committee") shall be established at the Korea Food and Drug Administration.
- (2) The duties of the Committee shall be as follows:
  1. Matters concerning the establishment of comprehensive plans for children's dietary life;
  2. Matters concerning the improvement of systems for the safety and nutritional management of children's preferred foods and group meals;
  3. Matters concerning the safety and management of standards for nutritional ingredients of children's preferred foods and group meals;
  4. Matters concerning investigation into the actual status of safety and nutrition of children's preferred foods and group meals and research projects, etc.;
  5. Matters concerning education and publicity for the safety management of children's dietary life;
  6. Other matters concerning the safety and nutritional management of children's preferred foods, which the Commissioner of the Korea Food and Drug Administration or the chairperson refers for deliberation.
- (3) When necessary for the performance of duties, the Committee may have the relevant public officials or specialists with specialized knowledge and experience attend its meeting to make a statement, or may request the relevant institutions, organizations, etc. to submit necessary data or opinions or to provide necessary cooperation.
- (4) Matters necessary for the composition, organization, operation, etc. of the Committee shall be prescribed by Presidential Decree.

Article 26 (Establishment of Comprehensive Plans for Safety Management of Children's Dietary Life)

- (1) The Commissioner of the Korea Food and Drug Administration shall establish a comprehensive plan for the safety management of children's dietary life concerning the safety, nutritional management, etc. of children's preferred foods, group meals, etc. every three years, following deliberation by the Committee.
- (2) A comprehensive plan for the safety management of children's dietary life prescribed in

paragraph (1) (hereinafter referred to as "comprehensive plan") shall contain the following matters:

1. Objectives of and basic directions setting for safety policies for children's preferred foods;
  2. Changes of children's preferred foods, etc. and outlooks thereof;
  3. Matters concerning the improvement of systems for children's preferred foods, etc.;
  4. Matters concerning research and technological development of children's preferred foods, etc.;
  5. Matters concerning international cooperation for the safety of children's preferred foods, etc.;
  6. Matters concerning support to persons who sell children's preferred foods, etc. after manufacturing, processing, importing or cooking them, to secure the safety of children's preferred foods, etc. and the methods of providing support;
  7. Other matters necessary to secure the safety of children's preferred foods, etc.
- (3) The head of a local government shall establish and implement an implementation plan for the safety management of children's dietary life (hereinafter referred to as "implementation plan") every year, based on a comprehensive plan.
- (4) Other matters necessary for the establishment and implementation of comprehensive plans and implementation plans shall be prescribed by Presidential Decree.

## CHAPTER VII CORRECTIVE ORDERS, ETC.

Article 27 (Corrective Orders, etc.)

The Commissioner of the Korea Food and Drug Administration, a Mayor/Do Governor, the head of a Si/Gun/Gu shall issue necessary corrective orders to persons who cook, display or sell children's preferred foods in a Green Food Zone, in violation of a limitation or prohibition under Article 8 (2) or 9.

Article 28 (Hearings)

Where the head of a Si/Gun/Gu intends to cancel certification of foods pursuant to Article 18

(1) (including cases in which such provision applies *mutatis mutandis* as prescribed in Article 19 (4)), he/she shall hold a hearing.

## CHAPTER VIII FINES FOR NEGLIGENCE

Article 29 (Fines for Negligence)

(1) Any person falling under any of the following subparagraphs shall be punished by a fine for negligence not exceeding ten million won:

1. Where a person who fails to obtain designation of an exemplary store pursuant to Article 7 (1) labels a logo of exemplary store or uses such logo in an advertisement;
2. Where a person fails to comply with a limitation or prohibition of sale of children's preferred foods prescribed in Article 8 (2);
3. Where a person sells children's preferred foods harmful to children's emotional health, or

- manufactures, processes, imports, cooks, transports or displays such foods for the purpose of sale, in violation of a prohibition prescribed in Article 9 (1);
4. Where a person places an advertisement, in violation of Article 10 (1);
  5. Where a person violates limitation on or prohibition of advertising hours of children's preferred foods prescribed in Article 10 (2);
  6. Where a food service provider or business operator who shall label nutritional ingredients, fails to label nutritional ingredients on foods he/she has cooked and sold, in violation of Article 11 (1);
  7. Where a person extends a period of validity of certification without taking lawful steps, in violation of Article 16;
  8. Where a person performs an act falling under any of the subparagraphs of Article 17 (including cases in which such provision applies *mutatis mutandis* as prescribed in Article 19 (4));
  9. Where a person labels quality certification on children's preferred foods, the quality certification of which was cancelled under Article 19 (1) (including cases in which such provision applies *mutatis mutandis* as prescribed in Article 19 (4)), or fails to comply with an order for prohibition of use of labeling of quality certification;
  10. Where a person who fails to obtain designation of a health-friendly enterprise labels a logo of health-friendly enterprise, places it in an advertisement, or uses it by attaching it to the signboard, etc.
- (2) Fines for negligence under paragraph (1) shall be imposed and collected by the Commissioner of the Korea Food and Drug Administration, a Mayor/Do Governor, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree.
  - (3) A person who is dissatisfied with a fine for negligence under paragraph (2) may raise an objection to the Commissioner of the Korea Food and Drug Administration, a Mayor/Do Governor, or the head of a Si/Gun/Gu within 30 days after he/she is notified of the imposition.
  - (4) Where a person who has been punished by a fine for negligence under paragraph (2) has raised an objection as prescribed in paragraph (3), the Commissioner of the Korea Food and Drug Administration, a Mayor/Do Governor, or the head of a Si/Gun/Gu shall promptly notify the competent court, which in turn shall proceed to a trial on a fine for negligence pursuant to the Non-Contentious Case Litigation Procedure Act.
  - (5) Where neither is objection raised nor a fine for negligence paid within the period under paragraph (3), the fine for negligence shall be collected in the same manner as delinquent national taxes are collected.

#### ADDENDUM

This Act shall enter into force one year after the date of its promulgation: Provided, the amended provisions of Articles 10 (2) and 11 (1) shall enter into force on January 1, 2010; the amended provisions of Article 12 shall enter into force on January 1, 2011, respectively. (Amended by Act No. 9694, May 21, 2009)

ADDENDA (Act No. 9432, Feb. 6, 2009)

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That Article 6 (12) of Addenda (limited to the amended part of Article 11 (1)) shall enter into force on January 1, 2010.

Articles 2 through 7 Omitted.

ADDENDUM (Act No. 9694, May 21, 2009)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 12 shall enter into force on January 1, 2011.

ADDENDA (Act No. 9932, Jan. 18, 2010)

Article 1 (Enforcement Date)

This Act shall enter into force two months after the date of its promulgation. (Proviso Omitted)

Articles 2 through 5 Omitted.

ADDENDA (Act No. 10310, May 25, 2010)

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted)

Articles 2 through 14 Omitted.

ADDENDUM (Act No. 10513, Mar 30, 2011)

This Act shall enter into force on the date of its promulgation.

ADDENDA (Act No. 10789, June 7, 2011)

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted)

Articles 2 through 6 Omitted.

# Appendix A. CFBAI Program and Core Principles Statement (Third Edition)

## I. INTRODUCTION

Companies engaged in advertising and marketing food and beverage products have developed this self-regulatory initiative for advertising such products to children under 12. The goal of this initiative is to use advertising to help promote healthy dietary choices and healthy lifestyles among American children. While it remains the primary responsibility of parents to guide their children's behavior in these areas, industry members are voluntarily pursuing this initiative as a means of assisting parents in their efforts.

This document was first issued in November 2006 when the Council of Better Business Bureaus (BBB) and 10 charter companies launched the Children's Food and Beverage Advertising Initiative (CFBAI). During 2009, BBB and 15 of the then 16 participants reviewed the program and made a number of enhancements to the scope of the advertising commitments, reflected in the Second Edition of this document, which became effective on January 1, 2010.<sup>1</sup> This, the Third Edition of the CFBAI Program and Core Principles Statement, contains additional information about the definition of "advertising primarily directed to children under 12." A number of participants have revised their definitions and now an audience threshold of no higher than 35% children 2-11 is generally being used.

This document consists of four parts. Part II describes the Core Principles. All participants agree to make commitments that are consistent with these principles. Part III describes the administrative elements of the program. Part IV describes an additional commitment regarding not advertising to children under six that some participants have made and that the CFBAI has agreed to monitor and oversee.

## II. CORE PRINCIPLES

Companies participating in this initiative will publicly commit to advertising that will further the goal of promoting healthy dietary choices and healthy lifestyles to children under 12. These commitments will be set forth in an individual "Pledge" for each participant. Because companies and their product lines vary, company

commitments also will vary. All commitments, however, will be consistent with the following Core Principles:

### A. Advertising, Interactive Games, Licensed Character, Product Placement and Elementary School Requirements

#### 1. Advertising Primarily Directed to Children

**Under 12.** Participants will commit that all "advertising primarily directed to children under 12" will be for healthy dietary choices, or better-for-you products, in accordance with company-developed standards that are consistent with established scientific and/or government standards.<sup>2</sup>

– **Measured Media.** This principle applies to advertising in measured media:

- Television
- Radio
- Print
- Internet (third-party websites).

– **Child-Directed Content.** This principle also applies to advertising that is primarily directed to children on:

- Company-owned websites or micro-sites primarily directed to children under 12
- Video and computer games that are rated "Early Childhood" or "EC," which are inherently primarily directed to children under 12, and other games that are age-graded on the label or packaging as being primarily directed to children under 12
- DVDs of movies that are rated "G" whose content is primarily directed to children under 12, and other DVDs whose content is primarily directed to children under 12.

– **Mobile Media and Word of Mouth.** This principle also applies to advertising that is primarily directed to children under 12 on cell phones, PDAs, and through word of mouth.<sup>3</sup>

#### 2. Use of Products in Interactive Games.

Participants will commit that, in any interactive game provided free or at nominal charge (in whatever format, online, disk or cartridge) primarily directed to children

under 12 where the company's food or beverage products are incorporated into the game, the interactive game will incorporate or be accompanied by healthy dietary choices or better-for-you products.

- 3. Use of Licensed Characters, Celebrities and Movie Tie-Ins.** Participants will commit that the use of third-party licensed characters, celebrities (including athletes) and movie tie-ins in advertising primarily directed to children under 12 will be consistent with their advertising commitments.<sup>4</sup>
- 4. Product Placement.** Participants will commit to not paying for or actively seeking to place their food or beverage products in the program/editorial content of any medium primarily directed to children under 12 for the purpose of promoting the sale of those products.
- 5. Advertising in Elementary Schools.** Participants will commit to not advertising branded food or beverage products in elementary schools, pre-K through 6th grade.<sup>5</sup>

## B. DEFINITIONS

The participants are permitted, within reasonable limits and subject to CFBAI review and approval, to define "advertising primarily directed to children under 12" and the nutrition standards that determine what products may be depicted in such advertising. Below we summarize the types of approaches that participants are using and provide examples of established scientific and/or government standards that companies may use to define healthy dietary choices or better-for-you products.

### 1. Advertising Primarily Directed to Children under 12.

- For "measured" media this means advertising in dayparts for which children 2-11 constitute 25% to 50% of the audience at the time of the media buy, depending upon the participant. An audience threshold of no higher than 35% is used by most participants. Some participants also include supplemental measures to identify "advertising primarily directed to children under 12."<sup>6</sup>
- For advertising in non-measured media, determinations will be made in accordance with standards established by the company or set forth in its pledge. Participants may use an analysis of factors, including the overall impression of the advertising, the target demographic based on the company's media

plan, actions taken to restrict child access, such as age-screening, and the audience definition for measured media. For example, participants may consider the percentage of children under age 12 viewing in-cinema G-rated movies that are now on DVDs, the content developer's designation and description of the expected target of mobile or PDA content, or the percentage of children viewing TV content that has been adapted for mobile media.

### 2. Standards for Determining What Are Healthy Dietary Choices or Better-for-You Products.

Examples of established scientific and/or government standards that companies may use to define healthy dietary choices or better-for-you products include:

- FDA defined "healthy" foods [21 C.F.R. 101.65(d)(2)]
- Products that qualify for an FDA authorized health claim [21 C.F.R. 101.70-101.83]
- Products meeting FDA/USDA criteria for claims of "free," "low," or "reduced" for calories, total fat, saturated fat, sodium or sugar
- Products that qualify for the USDA Healthier School Challenge Program criteria for Sales/Service of A La Carte and/or Vended Items
- Principles addressing recommended consumption by children under 12 under USDA Dietary Guidelines and MyPyramid
- Products representing a portion control option, such as products advertised and sold in a package size of 100 calories or less.

## C. IMPLEMENTATION

Each Pledge will include an implementation schedule for each commitment made by the participant.

## III. ADMINISTRATION AND OVERSIGHT

- 1. Pledge Development.** Company Pledges, including the specific commitments that will identify the healthy dietary choice or better-for-you product criteria, are established in consultation with the BBB-administered CFBAI program.
- 2. Monitoring and Enforcement.** The program is responsible for monitoring company commitments. Monitoring includes the review of advertising materials, product information, and other information as reasonably requested by the program administrator



(submitted on a confidential basis) to confirm participant compliance. The program also responds to public inquiries relating to compliance.

The program provides, by contract, for the expulsion of a company that does not comply with its Pledge after being given notice and an opportunity to bring its conduct into compliance, and notice of any expulsion to regulatory authorities such as the Federal Trade Commission under appropriate circumstances.<sup>7</sup>

**3. Public Reports.** The program publicly issues reports detailing its activities, including any expulsions or notices of such to regulatory authorities.

**4. Periodic Program Reviews.** The program originally planned to review its procedures and the overall impact of this initiative after the new program had been operational for at least three years. The expanded Core Principles reflected in the Second Edition of this document were the result of an extensive review that occurred ahead of the planned 2010 review. The Third Edition reflects changes that individual participants made during 2010. The program will continue to conduct periodic reviews, but recognizes the need for a reasonable interval between reviews to allow

participants to implement and assess the operation of any program enhancements. Accordingly, the program, in consultation with the participants, will conduct reviews at least once every three years.

#### IV. ADVERTISING TO CHILDREN UNDER SIX YEARS OLD

The CFBAI does not require that participants adopt policies regarding not engaging in advertising primarily directed to children under age six. Prior to the creation of the CFBAI, however, a number of participants had corporate policies that prohibited advertising directed to children under six years old (of even their healthier choices), and they maintained these policies after becoming participants in the CFBAI. During 2010, other participants also individually and voluntarily adopted such policies. Now the majority of participants have policies that are reflected in their CFBAI pledges on not engaging in advertising primarily directed to children under six. Although such policies are not required, CFBAI has agreed to monitor and report on compliance with these policies when they are incorporated into a participant's pledge.<sup>8</sup>

1st Edition Nov. 2006; 2nd Edition, Nov. 2009; 3rd Edition, Sept. 2010  
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<sup>1</sup> Post Foods joined the CFBAI on October 1, 2009, after the review was substantially completed and thus did not participate in the review.

<sup>2</sup> Participants also are encouraged to disseminate healthy lifestyle messaging. This could include messaging that encourages:

- Physical activity, or
- Good dietary habits, consistent with established scientific and/or government standards, such as USDA Dietary Guidelines and MyPyramid.

<sup>3</sup> The commitment regarding word of mouth advertising refers to advertising where a participant provides incentives (financial or otherwise), product samples or other support to individuals or groups who are not employees to promote consumption of branded food or beverage products or to promote discussion of such products and the advertising is primarily directed to children under 12.

<sup>4</sup> This commitment applies to the advertising discussed in the advertising principle above. It does not apply to other marketing channels, such as point of sale materials or packaging (provided that the packaging does not appear in advertising primarily directed to children under 12). This commitment also does not apply to the use of company-owned characters.

<sup>5</sup> This commitment does not apply to displays of food and beverage products, including materials that identify the products that are being offered for sale, charitable fundraising activities, public service messaging, items provided to school administrators for their personal use, and charitable donations to schools.

<sup>6</sup> The company pledges specify the audience percentage, and other factors, where applicable, that the company uses to determine whether advertising is "primarily directed to children under 12." The effective dates of changes to the definition vary by participant but all new policies will be in effect no later than January 1, 2011. Visit the CFBAI's website at <http://www.bbb.org/us/children-food-beverage-advertising-initiative/> for a summary of each participant's current definition. Audience demographics will be based on reliable third-party information on media impressions or other relevant metrics at the time the advertising is purchased.

<sup>7</sup> Under the contracts, BBB will give participants at least 30 days prior written notice before termination for cause and 60 days prior written notice for termination without cause. (The participants also have the right to terminate their participation upon prior written notice.) Specifically, when appropriate, BBB will notify a participant in writing of substantial noncompliance and give the participant a reasonable opportunity to bring its conduct into compliance. Upon termination BBB may refer the matter to appropriate regulatory authorities. BBB will give a participant notice prior to making the termination and referral public.

<sup>8</sup> The effective dates of new policies vary by participant. By January 1, 2011 all new policies will be in effect. Visit the CFBAI's website at <http://www.bbb.org/us/children-food-beverage-advertising-initiative/> for a summary of each participant's current definition of child-directed advertising, which also includes a listing of such policies.

## Appendix B. CFBAI Category-Specific Uniform Nutrition Criteria

Product Category	Unit	Nutrients to Limit (NTL)				Nutrition Components to Encourage (NCTE)	Notes
		Calories	Sat Fat	Sodium	Total Sugars		
1. Juices	LSS	≤ 160	0 g	≤ 140 mg	No added sugars	≥ ½ c F/V juices	<ul style="list-style-type: none"> <li>- A serving must contain ≥ 4 fl oz of 100% F/V juice</li> <li>- Sugars limited to those naturally occurring in F/V</li> </ul>
2. Dairy products							
- Milks and milk substitutes	8 fl oz	≤ 150	≤ 2 g	≤ 200 mg	≤ 24 g	1 c dairy	<ul style="list-style-type: none"> <li>- For LSS &lt; 8 fl oz, NTL &amp; NCTE to be scaled proportionately</li> <li>- Powder/syrup flavorings mixed with 8 fl oz non-fat milk are allowed ≤ 25 g total sugars as prepared</li> </ul>
- Yogurts and yogurt-type products	6 oz	≤ 170	≤ 2 g	≤ 140 mg	≤ 23 g	≥ ½ c dairy and ≥ 10% DV calcium	<ul style="list-style-type: none"> <li>- 6 oz (170 g) is most common single serving size</li> <li>- For LSS &lt; 6 oz, NTL &amp; NCTE to be proportionately lower</li> </ul>
- Dairy-based desserts	½ c	≤ 120	≤ 2 g	≤ 110 mg	≤ 20 g	≥ ¼ c dairy and ≥ 10% DV calcium	<ul style="list-style-type: none"> <li>- Serving sizes limited to ½ c</li> <li>- For LSS &lt; ½ c, NTL &amp; NCTE to be scaled proportionately</li> </ul>
- Cheese and cheese products	LSS	≤ 80	≤ 3 g	≤ 290 mg	≤ 2 g	≥ ½ c dairy equivalent (provides ≥ 10% DV calcium)	<ul style="list-style-type: none"> <li>- For LSS &lt; 1 oz, NCTE to be scaled to ≥ ¼ c dairy equivalent and ≥ 10% DV calcium</li> </ul>
3. Grain, fruit and vegetable products, and items not in other categories	LSS	≤ 150	≤ 1.5 g	≤ 290 mg	≤ 10 g	≥ ½ serving of F/V/D/WG or ≥ 10% DV of any essential nutrient	<ul style="list-style-type: none"> <li>- Subcategories differentiate, on a calorie basis, among products that have a small RACC (i.e., ≤ 30 g or ≤ 2 tbsp) and/or are lighter in density (e.g., g/cup) from those with a larger RACC and/or higher density</li> <li>- Examples of ≤ 150 calorie products: most children's breakfast cereals, crackers, &amp; pretzels</li> <li>- Examples of &gt; 150-200 calorie products: denser breakfast cereals (e.g., shredded wheat), waffles, &amp; vegetable products with sauces</li> </ul>
	LSS	> 150-200	≤ 2 g	≤ 360 mg	≤ 12 g		
4. Soups and meal sauces	LSS	≤ 200	≤ 2 g	≤ 480 mg	≤ 6 g	≥ ½ serving of F/V/D/WG or ≥ 10% DV of any essential nutrient	<ul style="list-style-type: none"> <li>- Tomato-based products allowed ≤ 12 g of total sugars/LSS to include sugars naturally occurring in tomatoes &amp; those added to balance product pH</li> </ul>
5. Seeds, nuts, and nut butters and spreads	1 oz or 2 tbsp	≤ 220	≤ 3.5 g	≤ 240 mg	≤ 4 g	≥ 1 oz protein equivalent	<ul style="list-style-type: none"> <li>- For LSS &lt; 1 oz or 2 tbsp, NTL &amp; NCTE to be scaled proportionately</li> </ul>
6. Meat, fish, and poultry products	LSS	≤ 120	≤ 2 g	≤ 480 mg	≤ 2 g	≥ 1 oz equivalent of meat, fish, or poultry, and ≥ 10% DV of any essential nutrient	<ul style="list-style-type: none"> <li>- For LSS ≤ 1 oz, NTL reduced to ≤ 60 kcal, ≤ 1 g sat fat, ≤ 240 mg sodium and ≤ 1 g total sugars</li> </ul>
7. Mixed dishes	LSS	≤ 280	≤ 2.5 g	≤ 540 mg	≤ 10 g	≥ ½ serving of F/V/D/WG or ≥ 10% DV of two essential nutrients	<ul style="list-style-type: none"> <li>- Products include casseroles, burritos, pizzas, &amp; sandwiches that do not meet FDA/USDA definition for <i>main dishes</i></li> <li>- Items that contain ≤ 200 kcal and meet NTL criteria may qualify if they contain ≥ ½ serving of F/V/D/WG or ≥ 10% DV of any essential nutrient</li> </ul>

## Appendix B. CFBAI Category-Specific Uniform Nutrition Criteria continued

Product Category	Unit	Nutrients to Limit (NTL)				Nutrition Components to Encourage (NCTE)	Notes
		Calories	Sat Fat	Sodium	Total Sugars		
8. Main dishes and entrées	LSS	≤ 350	≤ 10% kcal	≤ 600 mg	≤ 15 g	≥ 1 serving of F/V/D/WG or ≥ ½ serving of F/V/D/WG and ≥ 10% DV of two essential nutrients	– Items must meet FDA/USDA definition for <i>main dishes</i>
9. Small meals	LSS	≤ 450	≤ 10% kcal	≤ 600 mg	≤ 17/12 g (See notes)	≥ 1½ servings of F/V/D/WG or ≥ 1 serving of F/V/D/WG and ≥ 10% DV of three essential nutrients	– Small meals contain multiple items but do not meet FDA/USDA definition for <i>meals</i> – Meals must meet FDA/USDA definition for <i>meals</i> – Sugars from <u>one</u> qualifying milk/milk substitute, or qualifying yogurt/yogurt-type product, or qualifying fruit (i.e., without added sugars) or qualifying F/V juice are not counted in the 17 g or 20 g total sugars limits
10. Meals (entrée and other items including a beverage)	Meal	≤ 600	≤ 10% kcal	≤ 740 mg	≤ 20/15 g (See notes)	≥ 2 servings of F/V/D/WG or ≥ 1½ servings of F/V/D/WG and ≥ 10% DV of three essential nutrients	– When <u>two</u> qualifying items are present, the sugars from both items are not counted in the total sugars limit, but the limits (to account for all other items) are reduced to 12 g (small meals) and 15 g (meals) – All other NTL criteria for small meals and meals (calorie, sat fat, and sodium limits) must be met

**Trans fat.** The criteria for *trans* fat is 0 g labeled for all categories. For foods in the meat and dairy categories served as individual foods or as part of composite dishes or meals (e.g., soups, mixed dishes, entrées, meal-type products), naturally occurring *trans* fats are excluded.

### Exemptions

- Sugar-free mints and gum.
- The following products also are exempt from the nutrient criteria specified above, except as indicated in notes to Categories 9 & 10:
  - Fruit products without added sugars;
  - Vegetable products without added fats and which meet FDA regulations for “very low sodium;”
  - Beverages, including bottled waters, that meet FDA regulations for “low calorie” and “very low sodium” (diet sodas are excluded from this exemption).

### ABBREVIATIONS AND GLOSSARY

**DV:** Daily Value.

**Essential Nutrients:** Those occurring naturally in foods (or that are added to foods to meet standards of identity or to restore nutrients lost in processing), and for which a DV has been established. If fortification is used to meet the criteria, the nutrient must be a DGA 2010 nutrient of concern (calcium, fiber, potassium, vitamin D) or a nutrient that is required to be listed on the Nutrition Facts Panel (iron, vitamins A & C).

**F/V/D/WG:** Any combination of fruits, vegetables, non/low-fat dairy, and/or whole grains.

**LSS:** Labeled serving size.

**NA:** Not applicable.

**NCTE:** Nutrient components to encourage are F/V/D/WG or Essential Nutrients.

**NTL:** Nutrients to limit are calories, saturated (sat) fat, *trans* fat, sodium and total sugars.

**Qualifying F/V Juice:** Any fruit or vegetable juice or blend that contains no added sugars and meets the requirements of Category 1.

**Qualifying Flavored Milk/Milk Substitute/Yogurt/Yogurt-type Product:** These are products that meet the Category 2 criteria for milk/milk substitutes, or yogurt/yogurt-type products.

**RACC:** Reference amount customarily consumed.

**Serving(s):** See USDA Food Group Serving Equivalents.

**Total Sugars:** Include naturally occurring and added sugars.

# Appendix C. Synopsis of CFBAI Participants' Nutritional Standards (November 2012)

Participant	Calories (per serving/ meal)	Fat <sup>1</sup>	Sodium	Sugars	Positive Nutrients/ Food Group to Encourage*
<b>Burger King Corp.</b>					
Burger King Corp. has adopted CFBAI's Category-Specific Uniform Nutrition Criteria for Category 10 (Meals). See Appendix B.					
<b>Campbell Soup Company</b>					
Soup	≤ 150	Total Fat: ≤ 3g Sat Fat: ≤ 1g & ≤ 15% kcal Trans Fat: 0g Labeled	≤ 480 mg	≤ 12g (excluding f/v/dairy)**	≥ 1 serving of vegetables or 10% DV of a vitamin or mineral
Canned Pasta	≤ 300	Total Fat: w/o meat ≤ 35% kcal; w/meat ≤ 10g Sat Fat: w/o meat ≤ 10% kcal; w/meat ≤ 4.5g Trans Fat: w/o meat Labeled 0g; w/meat Labeled ≤ 0.5g, provided only from meat or dairy	≤ 600 mg	≤ 12g (excluding f/v/dairy)**	≥ 1 serving of vegetables or one-ounce equivalent of whole grains, plus 10% DV of 2 or more nutrients
Baked Snacks (≤ 100 kcal portion control products also qualify)	≤ 170	Total Fat: ≤ 35% kcal Sat Fat: ≤ 10% kcal Trans Fat: 0g Labeled	≤ 290 mg	≤ 12g (excluding f/v/dairy)**	Not Specified
Breads	For breads, Campbell has adopted Category Three of CFBAI's Category-Specific Uniform Nutrition Criteria. See Appendix B.				
<b>The Coca-Cola Company</b>					
Does not engage in food and beverage product advertising primarily directed to children under 12.					
<b>ConAgra Foods***</b>					
As of Sept. 2012, ConAgra Foods adopted CFBAI's Category-Specific Uniform Nutrition Criteria now to be followed in tandem with ConAgra Foods' current Pledge nutrition guidelines, listed here. Until December 31, 2013, ConAgra Foods may advertise products that meet either its current Pledge nutrition guidelines or CFBAI's Category-Specific Uniform Nutrition Criteria.					
Meals	≤ 500	Total Fat: ≤ 35% kcal Sat Fat: ≤ 10% kcal Trans Fat: 0g Labeled	≤ 760 mg	≤ 25% of kcal added	≥ 10% DV of 3 nutrients ≥ ½ serving vegetables or fruit or 8g of whole grain
Canned Pasta	≤ 350	Total Fat: ≤ 35% kcal Sat Fat: ≤ 10% kcal Trans Fat: 0g Labeled	≤ 750 mg	≤ 25% of kcal added	≥ 10% DV of 2 nutrients ≥ ½ serving vegetables or fruit or 8g of whole grain
Peanut Butter, Nuts and Seeds	≤ 210	Total Fat: Not Specified Sat Fat: Not Specified Trans Fat: 0g Labeled	≤ 480 mg	≤ 25% of kcal added	≥ 10% DV of 1 nutrient ≥ 1 ounce equivalent of meat and beans
<b>The Dannon Company</b>					
Yogurt, Dairy Snack & Drinkable Dairy Products <sup>2</sup>	Not Specified	Total Fat: ≤ 25% kcal Sat Fat: < 10% kcal or ≤ 1g Trans Fat: 0g Labeled	≤ 230 mg	≤ 12.5g added	≥ 10% DV of calcium
<b>General Mills<sup>3</sup></b>					
FDA "Healthy"	≤ 175	Total Fat: ≤ 3g Sat Fat: ≤ 15% kcal & ≤ 1g Trans Fat: 0g Labeled	≤ 480 mg	≤ 12g (exclusive of f/v/dairy)**	≥ 10% DV of vitamin A, vitamin C, calcium, iron, protein or fiber
General Mills Criteria	≤ 175	Total Fat: Not Specified Sat Fat: ≤ 2g	≤ 230 mg cereal/	≤ 12g (exclusive of	≥ ½ serving of whole grain, fruit, vegetables or fat-free or low-fat

<sup>1</sup> "0g" *trans* fat means less than 0.5g *trans* fatty acids per serving, excluding conjugated *trans*-fatty acids such as naturally occurring Conjugated Linoleic Acid (CLA). Under FDA's regulatory scheme, naturally occurring *trans* fat and added *trans* fat from partially hydrogenated fat are not distinguished. *Trans* fat occurs naturally in trace amounts in meat and dairy products. "No added" *trans* fat means no *trans* fat from non-animal sources. Some participants also set or rely on third-party standards that limit cholesterol. For simplicity sake, cholesterol limits are not included here.

<sup>2</sup> The criteria are based on "per labeled serving" to ensure that the "portion size" is recognized and thus ensure that the criteria is both "occasion" and "age" appropriate.

<sup>3</sup> Under General Mills' pledge, products must meet either FDA's criteria for "healthy" per labeled serving, or General Mills' own guidelines for Healthy Dietary Choices. Although not addressed in FDA's criteria for "healthy," General Mills also applies restrictions on calories, *trans* fat and sugars, on items that qualify as "healthy" per labeled serving.