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Unveiling the Interplay: Childhood Obesity, Impact of Marketing to Kids, and the Pursuit of Effective Regulatory Measures.

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Abstract

In an era of pervasive marketing, targeting children has become a subject of growing concern due to its potential impact on their well-being and consumer behaviours. The purpose of this study was both to assess and evaluate why Bill S-228, a legislation aimed at protecting children from the current state of marketing to kids (M2K), failed to become law despite initially passing through the Senate and then through the House. First, a narrative literature review was conducted to describe the current practices for restricting M2K of food products based on global data. Second, using two prominent policy change theories, Advocacy Coalition Theory, and the Multiple Stream Theory, the policy change process of Bill S-228 was evaluated to explore what prevented Bill S-228 from passing a third reading in the Senate. Finally, the third study builds on findings from the first two studies by interviewing stakeholders who were involved in the M2K and Bill S-228 policy process. This analysis revealed that there is variation in the evidence regarding the different M2K policies used globally and in Canada. The analysis also identified several political challenges to advancing Bill S-228 on the policy agenda, including industry influence, nature of the bill (being a private member's bill), stakeholder involvement, timing, terminology debates, role of evidence, framing of the issue and political influence. Finally, this paper concludes with recommendations based on findings, discussions, and conclusions. These recommendations include having more unity between Health Canada and different parties, addressing resources and capacity limitations, considering obesity as a societal issue, defining clear criteria and definitions, and addressing potential loopholes used by industries.

Summary of Lay Audience

Childhood obesity and overweight are both well-recognized serious global public health crisis with serious implications for the well-being and future of children (Moya, 2023). While genetics remains a significant factor in the development of obesity, environmental factors are fundamental and are major drivers of the increased childhood obesity seen globally (Jia et al., 2021).

Marketing to Kids (M2K) is now recognized as a significant risk factor for childhood obesity (Scaglioni, 2022). Several countries have implemented voluntary measures to protect children (Potvin Kent, 2011). However, these voluntary measures have been criticized and proven to be ineffective at fully protecting children from potential harmful effects of M2K (Sing et al., 2023). Instead, there have been increasing calls and support from public health experts, advocacy groups, and researchers for more stringent government regulations to protect children from the impact of M2K (Mulligan, 2023; Pinto, 2020).

Prime Minister Trudeau identified children's marketing restrictions as a public health priority, following his first election in 2015. Specifically, he called for introducing new restrictions on the commercial marketing of unhealthy food and beverages to children (Trudeau, 2021). This resulted in a proposal, championed by former Senator Nancy Green Raine to impose federally mandated restrictions on the marketing of foods High in Fat, Salt, and Sugar (HFSS) to children, known as The *Child Health Protection Act* (Bill S-228). In 2017, the bill was thoroughly debated, reviewed, and passed by the Senate. It was then amended and passed the House of Commons in September 2018 before being sent back to the Senate for its final vote to become a law. However, it never made it past the third reading in the Senate and thus failed to pass despite support.

This study aimed to both assess and evaluate the current state of M2K and it also investigated why, despite initially passing through the Senate and then through the House, and despite support in the need for mandatory policies to protect children from marketing, Bill S-228 failed to become law. This was done by reviewing M2K literature globally and in Canada. Then, a policy perspective of Bill S-228 was studied using two policy change theories, the Advocacy Coalition Theory and Multiple Stream Theory. Finally, interviews were conducted with those who were involved in M2K and Bill S-228 to complement findings and to potentially gain a full understanding of the overall process.

The analysis revealed that there is variation in the evidence regarding the current practices related to M2K policies globally and in Canada. Additionally, findings identified several political challenges to advancing Bill S-228 on the policy agenda. These challenges include industry influence, nature of the bill, stakeholder involvement, timing, terminology debates, evidence, framing, and political influence.

To enhance the current state of M2K the study recommends having more unity between different parties, addressing resources and capacity limitations, considering obesity as a societal issue, defining clear criteria and definitions, and addressing potential loopholes used by industries.

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> *"I wanna thank me for believing in me. I wanna thank me for doing all the hard work.*
> *I wanna thank me for never quitting…"*

This would not have been possible without the blissful support of each one of you. THANK YOU.

To future milestones
Cheers,
Lin

Table of Contents

List of Tables

List of Figures

List of Appendices

Chapter 1 - Introduction, Research Questions and Gaps

Childhood obesity and overweight is a well-recognized global public health crisis with serious implications for the well-being and future of children (Al-Jawaldeh et al., 2020; Moya, 2023; Wang & Lim, 2012). In 2020, it was estimated that 38.9 million children under the age of 5 were overweight (Usta, 2023; Weihe et al., 2020). In Canada, the rates of childhood obesity have shown a worrying trend doubling over the last three decades for children and adolescents aged 5 to 17 (Levere, 2022; Moya, 2023; Wong et al, 2020). Additionally, more than half of children in Canada consume fewer than five servings of vegetables and fruit per day (Monique et al., 2017; Mulligan et al., 2020). One-quarter of the calories eaten by Canadian children (aged 4 to 18 years) come from foods that *Canada's Food Guide to Healthy Eating* suggest children should limit (Paquette et al., 2022; Pinto, 2020). These dietary patterns indicate a lack of nutrition balance and an overconsumption of calorie-dense foods (Paquette et al, 2022).

The rise in childhood obesity has been associated with a multitude of adverse health outcomes (Salama et al., 2023; Paquette et al., 2022; Norman et al., 2016). A study found that increased childhood body mass index is linked to higher mortality rates in adulthood (Janssen, 2013). Another study highlights that childhood obesity is associated with lower life expectancy, underscoring the long-term impact it can have on individuals (Gupta & Sachdev, 2022). Childhood obesity is also identified as a significant risk factor for numerous non-communicable diseases (Levere, 2022). Paquette et al. (2022) emphasizes that type 2 diabetes, hypertension, coronary artery diseases, obstructive sleep apnea, and certain cancers are all strongly associated with childhood obesity. Molnar (2004) and Lieffers et al. (2018) further supported these findings in their respective studies, reinforcing the detrimental effects of childhood obesity on long-term health outcomes. Its effects are compounded if its effects are premature (World Health

Organisation [WHO], 2016). Younger people are now being diagnosed with overweight and

obesity compared to previous years (WHO, 2018). According to the World Obesity Federation, if

current trends continue, more than 10 million adults in Canada will be obese by 2025 (Ahmed &

Konje, 2023).

Childhood obesity not only poses health concerns, but it also carries significant economic

implications (Azagba & Sharaf, 2011; Carson et al., 2010; Hay & Global Burden of Disease,

2021; Kjollesdal et al., 2022). In Canada, the economic costs associated with childhood obesity

are substantial (Ling et al., 2023; Segal, 2021). For example, the direct healthcare costs attributed

to overweight, and obesity reached six billion dollars in 2020 (Ling et al., 2023). This figure

accounts for medical expenses related to diagnosis, treatment, and management of obesity and its

associated health conditions (Ling et al., 2023). Furthermore, economic burden of obesity-related

comorbidities has been estimated at $34.0 billion per year (Janssen, 2013). These comorbidities,

include type 2 diabetes, cardiovascular diseases, and other chronic conditions, requiring long-

term management that impose significant costs on the healthcare systems and society as a whole

(Janssen, 2013). The economic costs of childhood obesity extend beyond healthcare expenses.

Loss of productivity due to obesity-related health issues also contributes to the economic burden

(Ling et al., 2023; Malacarne et al., 2022). Individuals with obesity may experience reduced

work productivity, increases sick leave, and higher healthcare utilisation leading to decreased

economic output (Malacarne et al., 2022). The direct healthcare costs and the economic burden

of obesity-related comorbidities in Canada underscore the significant financial implications of

this public health issue (Ling et al., 2023). These costs not only strain healthcare systems but also

impact national economies due to reduced productivity and increased healthcare utilization

(Janssen, 2013; Malacarne et al., 2022). By addressing the economic impact, policymakers and

healthcare professionals can work towards implementing effective strategies to combat childhood obesity and its associated costs, ensuring a healthier future for children and a more sustainable healthcare system (Janssen, 2013).

The World Health Organisation Commission on ending childhood obesity found that there is unequivocal evidence that the marketing of unhealthy foods and sugar sweetened beverages has a negative impact on childhood obesity (WHO, 2016). The report recommended that any attempt to tackle childhood obesity should include a reduction in the exposure of children to marketing (WHO, 2016). The Child Health Protection Act (Bill S-228) take concrete steps to address this public health issue by limiting the marketing of unhealthy foods and beverages to children (Government of Canada, 2015). The Bill sought to amend the Food and Drug Act by prohibiting unhealthy food and beverage marketed directed primarily at children under 13 years old, across all potential marketing media channels and child directed settings in Canada (Government of Canada, 2015). In 2017, the bill was thoroughly debated, reviewed, and passed by the Senate. It was then amended and passed the House of Commons in September 2018 before being sent back to the Senate for its final vote to become a law. However, it never made it past the third reading in the Senate and thus failed to pass (Government of Canada, 2015). The aim of this thesis will be both to assess and evaluate the current state of marketing to kids (M2K) and to also investigate why, despite initially passing through the Senate and then through the House, and despite support in the need for mandatory policies to protect children for unhealthy marketing, Bill S-228 failed to become law. This work will contribute to the obesity prevention policy evidence.

This thesis will examine this by (a) reviewing literature about M2K; (b) investigating the policy change process of Bill S-228 using two major policy change theories: Advocacy Coalition

3

Theory (ACT) (Sabatier & Jenkins-Smith, 1993) and Multiple Stream Theory (MST) (Kingdon, 1995); And (c) interviewing stakeholders who were involved in the M2K and Bill S-228 policy process. Finally, this thesis concludes by identifying recommendations and conclusions drawn from evaluating the policy process that unfolded under Bill S-228 to guide the development of future M2K policy. In the context of this thesis, the terms "children" and "kids" will be used interchangeably to refer to any individuals who are under the age of 18. While it is recognized that distinctions can be drawn to differentiate between categories like toddler, infant, and teen, instances where age is a relevant consideration (e.g., the age ranges identified in legislations), explicit reference to age will be made. Also, throughout this thesis, "childhood obesity" will be used to refer to both childhood obesity and overweight.

1.1 Introduction to Food Marketing

While genetics remains a significant factor in the development of obesity, it is now recognized that environmental factors are fundamental and major drivers of the increased childhood obesity rates (Palacios-Martin et al., 2023). Those environmental factors include the marketing of food and beverage products to kids, which are often high in fat, salt, and sugar (HFSS) (Russell et al., 2021; Scaglioni et al., 2022). Marketing techniques aimed at children have been shown to have direct influence on various aspects of children's relationship with food, including shaping their food preferences, requests, purchases, and creating a positive perception of food that are often HFSS (Elliott, 2020; Gupta & Sachdev, 2022; Lee & Cho, 2020). Additionally, the persuasive tactics employed in marketing make children believe that these products will bring joy, happiness, or social acceptance (Elliott, 2020; Lee & Cho, 2020). As a result, children often put pressure on their parents to buy these products, leading to increased consumption of foods HFSS (Marshall & O'Donohoe, 2010). Moreover, it can also impact

children's eating behaviours as marketing often promotes large portion sizes, encourages snacking, or portrays HFSS food products as a reward or treat (Potvin et al., 2012; Kent et al., 2022). These messages can lead to overconsumption and the development of unhealthy eating habits (Elliott, 2020; Pinto et al., 2020). Finally, marketing campaigns contribute to children's knowledge and awareness of both foods and brands (Lee & Cho, 2020; Malacarne et al., 2022). Children exposed to extensive marketing are more likely to have detailed knowledge about specific food products and associated brands (Malacarne et al., 2022). They may develop brand loyalty from an early age, associating certain brands with positive experiences. This brand knowledge can impact their choices and influence their long-term consumption patterns (Phulkerd et al, 2022). A Canada-wide survey of 2000 people showed that 79 per cent of respondents agreed that food marketing targeted to children contributes to overweight and obesity; 82 per cent agreed that marketing of unhealthy food to children should be restricted; and 64 per cent agreed that advertising targeted at kids should be banned in Canada (Raine et al, 2013).

Several countries have implemented voluntary measures to restrict M2K (Al-Jawaldeh et al., 2020; Nieto et al., 2022). In United Kingdom, for example, the regulations include guidelines on the content and placement of advertisements targeting children, ensuring that marketing messages are appropriate and not misleading (Hawkes, 2008). In Australia, the voluntary *Children's Code for Advertising Food and Beverages* sets out guidelines for food and beverages advertising that aim to encourage healthier eating habits and limit the promotion of unhealthy products (Galbraith-Emami & Lobstein, 2013). In Canada, most provinces, with the exception of Quebec, rely on self-regulation through the *Broadcast Code for Advertising to Children* and an

industry-initiated *Children's Food and Beverage Advertising Initiative* (CAI) (Ad Standards Canada, 2020; Ad Standards Canada, 2022).

The *Broadcast Code for Advertising to Children,* also known as the Code, is a set of guidelines and regulations in Canada that specifically address advertising practices targeted at children (Advertising Standards Canada, 2020). It is a self-regulatory framework established by the Canadian Broadcast Standards Council (CBSC) in collaboration with the Canadian advertising industry (Advertising Standards Canada, 2020). CBSC is an industry funded non-governmental organisation (NGO) created by the Canadian Association of Broadcasters to administer standards established by its own members, Canada's private broadcasters (Bateman & Karim, 2009). The Code aims to voluntary ensure that advertisements directed at children are appropriate, responsible, and do not exploit or mislead young viewers. It sets standards for the content, timing, and presentation of advertising messages during children's programming (Advertising Standards Canada, 2020). The Canadian advertising industries are responsible for adhering to these guidelines, and the CBSC monitors and investigates complaints regarding potential violations (Advertising Standards Canada, 2020; Advertising Standards Canada, 2022).

The Children's Code has failed in protecting preschoolers and children from food advertising on television in Canada (Potvin Kent et al., 2014). This could be due to many reasons related to openness, transparency, accountability, and monitoring (Potvin Kent et al., 2014; Powell et al., 2013; Rachel, 2017). Critics have argued that the CBSC doesn't always effectively gather input from a diverse range of public voices when setting content standards. They might claim that decisions are made without adequately considering the perspectives of marginalized groups (Powell, 2013; Rachel, 2017). Also, the CBSC has been criticized for its decision-making processes as it lacks transparency, making it difficult for public to understand how and why

certain content is deemed acceptable or not (Reilly & Goren, 2018). Finally, when broadcasters

are found to be in violation of standards, the penalties imposed by the CBSC are not

proportionate to the severity of the violation (Raine et al., 2013). A number of Canadian

corporations have recognized their crucial role in fostering healthy media environment for

Canadian children, in 2007, the CAI was launched by Advertising Standard Canada and 16 major

food/beverage manufacturers and fast-food restaurants, which increased to 18 by 2011 (see table

1). The initiative aims to decrease the amount of unhealthy food advertising that children under

12 years are exposed to as they were committed to reforming the food and beverage advertising

landscape to children in Canada (Advertising Standards Canada, 2022). Additionally, the

companies agreed to reduce the use of third-party licenses characters to products that did not

meet their nutritional standards (Advertising Standards Canada, 2022). Not all participating

companies aim to refrain from advertising all food and beverages to children under 12 years old,

some CAI companies have pledged to promote only "healthier dietary choices" through print

media, television, radio, and the internet. That said, each company independently defines their

own marketing scope for children, set child audience thresholds (ranging from 25% to 35%), and

establish their own nutritional criteria (Advertising Standards Canada, 2022). Both CBSC and

CAI are administered and monitored by Advertising Standard, a non-profit self-regulatory body

comprised of advertisers, advertising agencies and media organizations who aim to "maintain the

integrity of Canada advertising" (Advertising Standards Canada, 2022; Russell et al., 2019).

Table 1: Example of Companies Participating in the CAI (Pinto et al, 2020)

Refrain from advertising all food and beverages to children under 12 years old	Advertise only "better-for-you" products to children under 12 years old
Coca-Cola Ltd	Campbell Company of Canada
Ferrero Canada Ltd	Danone Inc

Hershey Canada Ltd	General Mills Canada Corporation
Kraft Heinz Canada	Kellogg's Canada
Maple Leaf Foods Inc	McDonald's Restaurants of Canada Ltd
Mars Canada Inc	Parmalat Canada
Mondelez Canada	
Nestle Canada	
PepsiCo Canada ULC	
Unilever Canada	

The effectiveness of self-regulations to protect children from potential harmful effects of marketing, however, have been criticized as being ineffective at reducing M2K (Hawkes, 2007; Rachel, 2017; Ronit & Jensen, 2014). More specifically, research assessing the effectiveness of self-regulatory initiatives and voluntary measures in Canada revealed that despite industry's commitment to the CAI, the majority of food and beverage ads viewed by Canadian children still promote products that are inconsistent with healthy dietary guidelines and companies don't often comply with the CAI (Bowman, 2019; Boyland et al., 2022; Kent et al., 2022; Kent & Pauzé, 2018). A study published in the Canadian Journal of Public Health analyzed the nutritional quality of food and beverage ads targeted at children during children's programming. It found that a large majority of the advertisements (88%) promoted products that were classified as unhealthy based on recognized nutritional standards (e.g., candy without chocolate, chocolate bars, candy with chocolate, pancakes, and extreme energy drinks) (Pauzé & Potvin Kent, 2021). Another study published in the International Journal of Environmental Research and Public Health investigated the extent of compliance with the CAI's pledges among participating

compagnies (Vergeer et al., 2019). The findings revealed that many companies did not fully

adhere to their commitments under the CAI that considers advertisement to be directed to

children if 35% or more of the audience is under age 12 years. In particular, a considerable

number of companies had advertisements promoting unhealthy food choices that were

broadcasted during children's programming (Vergeer et al., 2019). Potvin Kent & Wanless

(2014) also found an increase in the average number of food advertising spots viewed by

children on generalist television stations in Toronto by nearly 44% after the implementation of

the CAI in 2011, as opposed to 2006. Additionally, broadcasters and companies' compliance

with the Children Code and the CAI use a two-prolonged approach: annual industry spot checks

and consumer complaints (Hooper, 2018). Significant differences have been reported in the

literature between external researchers and industry measured CAI compliance. For example, in

2016, Advertising Standards reported 100% compliance among CAI-participant companies,

while Kent & Pauzé (2018) found over 30 non-compliant food ads. These findings suggest that

relying solely on voluntary initiatives and self-regulation is inadequate to address the pervasive

influence of unhealthy food marketing on children (Pinto, 2020). The existing approach allows

industry control over the content and targeting of advertisements, potentially compromising the

effectiveness of such measures in promoting healthier dietary choices for children (Rachel, 2017;

Rousset et al., 2015). As a result, there have been increasing calls from public health experts,

advocacy groups, and researchers for more stringent government regulations to protect children

from the impact of M2K (L. Harris et al., 2020; Moodie et al., 2021). Stricter regulations would

impose clear and standardized guidelines on the types of products that can be marketed to

children, reducing their exposure to advertisements promoting unhealthy food choices and

supporting the promotion of a healthier food environment for children (Raine et al., 2013).

Moreover, such regulations would provide an opportunity for enforcement, accountability and monitoring that is lacking in voluntary self-regulation initiatives (Pauzé & Potvin Kent, 2021).

The province of Quebec has implemented the most stringent regulations to restrict M2K in Canada, and perhaps globally, through the *Quebec Consumer Protection Act* (QCPA) (Mulligan et al., 2021; Government of Canada and the Gouvernement du Quebec, 1985). Since the enactment of the QCPA In Quebec in 1980, all commercial advertising directed at children under 13 years of age is prohibited, extending beyond just food and beverages marketing. This approach recognises the potential harm of advertising on young children's vulnerability and takes a proactive stance in protecting their well-being (Kent et al., 2022) – something that has been affirmed by the Supreme Court of Canada. Research has demonstrated the positive impacts of Quebec's more stringent regulations (Lemire & Rouillard, 2005; Potvin Kent et al., 2012). A study examining the impact of QCPA on children's exposure to advertising revealed notable differences between Quebec and other provinces. French-speaking children in Quebec were found to be targeted less frequently by advertisements compared to English-speaking children in Quebec or Ontario (Kent et al., 2022). Quebec French TV advertisements for foods and beverages use significantly fewer spokes-characters (animated or fictional characters), contests, and sponsorships. Moreover, a higher proportion of advertisements seen by Quebec French children were comparatively healthier that those seen by Ontario English children. These findings suggest that the QPCA has been effective in reducing the number of unhealthy products children in Quebec are exposed to (Kent et al., 2022).

While the improved dietary habits cannot be solely attributed to the advertising ban, it indicates the positive influence the QCPA in shaping healthier food choices among Quebec residents (Campbell & Raine, 2019; Rachel, 2017). Collectively, these studies demonstrate the

effectiveness of Quebec's approach to limit children's exposure to advertising, which has helped

to foster healthier dietary habits. The approach taken by Quebec had garnered public support and

has shown tangible improvements in reducing the promotion of unhealthy products and

influencing consumer behaviour in favor of healthier options (Kongats et al., 2020).

QCPA, known for its stringent regulations aimed at restricting M2K, prohibits all

commercial advertising directed at children under 13, transcending food and beverage marketing,

acknowledging the potential harm to children's vulnerability (Russell et al., 2019; Sing &

Backholer, 2023). This proactive stance has resulted in positive impacts, with French-speaking

children in Quebec being less frequently targeted by advertisements, containing fewer spokes-

characters, contests, and sponsorships, and featuring comparatively healthier content than in

Ontario (Prowse, 2017). The QCPA has also decreased fast food consumption and improved

dietary habits among Quebec residents (Sing & Backholer, 2023). Additionally, in a study that

looked at exposure to and power of food marketing to children in Canada found that, in terms of

exposure on television, small improvements in the nutritional quality of the advertised foods

were associated with the QCPA but not the CAI (Pinto, 2020). Significantly fewer

advertisements watched by children were found on French-language television in Quebec for

"less healthy" foods than on English-language television in Ontario (Prowse, 2017).

While the QCPA has proven to have positive effects on M2K, there are certain

limitations of QCPA discussed in literature. First, the term "child-directed" means that children

may still be exposed to advertising as long as the advertisement is not considered to "appeal" to

them. Moreover, the QCPA only protects children during peak viewing times, which were

established in the early 1980s and have not been revised since. This leaves room for children to

be exposed to marketing strategies beyond traditional advertising and to cross-border media

leakage from other markets (Mulligan et al., 2020). Recent scrutiny by coalition groups, such as

Coalition Poids, has shed light on many violations of the QCPA by several major food and

beverage companies (Dhar & Baylis, 2011). Investigations, prosecutions, and guilty pleas have

resulted from these complaints, highlighting the need for ongoing surveillance and enforcement

(Durocher, 2023). An additional concern is the emergence of new media platforms and

marketing techniques. Marketers are increasingly utilizing internet advertising, advert-gaming,

mobile messaging, and viral marketing, which pose monitoring challenges for regulatory bodies

and expand our understanding of marketing (Harris et al., 2013; Kent et al, 2022; Rachel, 2017).

Finally, the issue of cross border media exposure arises due to differing legislative standards

outside Quebec, leading to the dissemination of advertisements from regions with less stringent

regulations (Kent et al., 2022). This dynamic discourse highlights the complexity of regulating

advertising to protect children's well-being while acknowledging individual rights.

The limitations of current marketing practices have led to multiple calls from a wide

range of stakeholder groups including researcher, health advocacy groups, and the public or

stronger government intervention and mandatory regulations to protect children from the harmful

effects of M2K (Chung et al., 2012). The Stop Marketing to Kids coalition led by Heart & Stroke

and the Childhood Obesity Foundation along with ten steering committee member organisations

have united to build awareness and call for action about the effects of food and beverage

marketing to children in Canada. These organisations include Alberta Policy Coalition for

Chronic Disease Prevention, BC Alliance for Healthy Living, Canadian Cancer Society,

Canadian Dental Association, Chronic Disease Prevention Alliance of Canada, Diabetes Canada,

Food Secure Canada, Quebec Coalition on Weight-Related Problems (Rachel, 2017; Raine et al.,

2013; Sadeghirad et al, 2016; Sing & Backholer, 2023; Smith et al., 2019). This call for action

was also endorsed by over 120 national and international organizations and notable health experts as well. More recently, Prime Minister Trudeau identified children's marketing restrictions as a public health priority for Canada in his Mandate Letter to the Minister of Health following his first election in 2015 (Trudeau, 2021). Specifically, he tasked that Minister of Health Jane Philpott with introducing "new restrictions on the commercial marketing of unhealthy food and beverages to children, similar to those now in Quebec" (Trudeau, 2021, p.2). In public health parlance, Prime Minister Trudeau's call opened a children's marketing "policy window" (Potvin et al., 2012). A policy window refers to a relatively short period of time during which political conditions, public opinions, and external events align to create an opportunity for a specific policy issue to gain attention, be discussed, and potentially be adopted are implemented by policymakers (Mulligan et al., 2021). Ultimately, this resulted in a proposal in 2016, championed by Senator Nancy Green Raine, to modify the *Food and Drugs Act* to impose federally mandated restrictions on the marketing of HFSS foods to children under the age of 13, known as the *Bill S-228: Child Health Protection Act* (Bill S-228) (Government of Canada, 2015). Bill S-228 sought to amend the *Food and Drugs Act* by prohibiting unhealthy food and beverage marketed directed primarily at children under 13 years old, across all potential marketing media channels and child directed settings in Canada (Government of Canada, 2015). In 2017, the bill was thoroughly debated, reviewed, and passed by the Senate. It was then amended and passed the House of Commons in September 2018 before being sent back to the Senate for its final vote to become a law. Additionally, Health Canada worked to create regulations to help in the implementation. Examples of these regulations included defining "unhealthy" food, setting out factors to determine if an advertisement is directed at children, and identifying exemptions to the prohibition (children's sports sponsorship) (Health Canada, 2017).

Health Canada defined "unhealthy food" as any food that exceeds the thresholds for the nutrient

content claims like "low in sodium", "low in saturated fats" and/or "low in sugars"; or having a

front of package symbols as proposed in their draft regulations (Potvin et al., 2014). Examples of

food that meet the definition are listed in table 2 (see Table 2). "Child-directed setting" was

defined to include places, events, activities, daycares, schools, children's clubs as well as

children's concerts and festivals, among others (Health Canada, 2017). According to Health

Canada, "child-directed setting" is one where children generally or frequently attend (Health

Canada, 2017). The marketing of unhealth foods will be restricted in those setting if it is found to

have "child appeal" (Health Canada, 2017). In terms of "child-directed media channels", Health

Canada included any media where the proportion of the audience under 13 in the viewing

audience was higher than the proportion in the overall Canadian population based on a threshold

of 15% (e.g., 6 am to 9 am and 3 pm to 9 pm on weekdays and 6 am to 9 pm on weekends)

(Health Canada, 2017; Vergeer, et al., 2019). In terms of "advertising techniques with child

appeal", marketing would be prohibited if the advertisement includes elements that are clearly

directed at children (e.g., an ad for treats depicting child appealing element such as cartoon, toys,

etc.) (Health Canada, 2017). Health Canada exempted children's sport sponsorship from those

restrictions except for when specific techniques designed to appeal to children under 13 (e.g.,

where a company is supplying sports jersey marketing would be allowed, however, the same

company cannot provide free food samples or discount vouchers) (Health Canada, 2017).

Table 2. Foods with and without marketing restrictions

Example of foods that would **not** be allowed to be marketed to children:	- Vegetables or fruits with added ingredients (e.g., sodium, sugars) -Processed meat -Regular soft drinks -Condiments - Regular French fries -Candied or salted nuts and seeds

	-Most breads (e.g., white, and whole wheat)
Example of foods that would be allowed to be marketed to children:	-Vegetables or fruits without added ingredients (e.g., sodium, sugars) -Low sodium breads and crackers -Plain fish and seafood -Lean cuts of meat and poultry -Plain whole grains (e.g., barley, quinoa, brown rice, oats) -Snacks (e.g., plain popcorn, low sodium chips)

However, despite support, it never made it past the third reading in the Senate and thus failed to pass. The policy window, it seems, closed. The failure of Bill S-228 sparked much debate and speculation about the reasons behind its failure (Campbell & Raine, 2019; Mulligan et al., 2020).

1.2 Research Questions, Gaps and Rationale

- What are the current practices for restricting M2K of food products based on global data?

- What contributed to the failure of Bill S-228? Specifically, this question will explore what prevented Bill S-228 from passing a third reading in the Senate, despite passing initially?

- Is the policy window on M2K still open, or has this opportunity passed? Can anything be done to 're-open' the window?

1.2.1 Overview of Thesis

The first study of this thesis (chapter 2) aimed to describe current state of M2K and to, more specifically, answer the following research questions: *What are the current practices for restricting M2K of food products based on global data?* To accomplish this, a narrative literature review using an *inductive* content analysis methodology was used. Conducting a narrative review

on M2K is valuable for this study as it provides a comprehensive and holistic view about M2K. It also provides flexibility with respect to the type of sources to be included in this study, which in turn allows for the development of a comprehensive overview and synthesis of existing literature (Horsley, 2019). The utilization of an *inductive* content analysis is well-suited for this research and its objectives. It allows for a more flexible and open exploration of the data and enables exploration of diverse perspectives and emergent themes in the data (Vears & Gillam, 2022).

The second study (chapter 3) investigated the policy change process of Bill S-228 using two major policy change theories: Advocacy Coalition Theory (ACT) (Sabatier & Jenkins, 1993) and Multiple Stream Theory (MST) (Kingdon, 1995). More specifically this study aims to answer the following research questions: *What contributed to the failure of Bill S-228? Specifically, this question will explore what prevented Bill S-228 from passing a third reading in the Senate, despite passing initially? What enabling and limiting factors in the decision-making process contributed to this?* A single embedded case study approach was used following a *deductive* thematic analysis (Braun & Clarke, 2006; Yin, 2009). The coding framework utilized for this study was developed by Clarke et al. (2021), who also employed a case study approach to evaluate a policy using ACT and MST. This methodology promotes consistency and reproducibility in the coding process, which is important for comparison of findings across different studies (Carpentier, 2020; Pierce et al., 2017). Appendix A shows the coding framework used for coding.

The third study of the thesis (chapter 4) builds on findings from the first two studies by interviewing stakeholders who were involved in the M2K and Bill S-228 policy process and shed light on their perspectives and experiences. The study also aims to answer the following research

questions: *Is the policy window on M2K still open, or has this opportunity passed? Can anything be done to 're-open' the window?* Data will be iteratively and inductively analyzed to discover overall themes that reflect the reality constructed by participants. This iterative analysis entails a dynamic and thorough exploration of the data, allowing for the emergence of recurring themes that are grounded in the actual experiences and viewpoints expressed by participants. Through this meticulous and reflexive approach, the research aims to capture the complexity and richness of the participants' constructed reality, based on their own experience.

Finally, the final chapter serves as a culmination of the research conducted. It synthesises the analyses completed in the previous chapters to provide a comprehensive understanding of the research topic. Moreover, based on the synthesizes findings, this chapter also presents recommendations for future policy change initiatives. These recommendations are derived from the insights gained throughout the thesis and aim to inform and guide future efforts in the field of M2K policy development and implementation.

1.3 Conclusion

In conclusion, the issue of childhood obesity is a significant global public health crisis with far-reaching implications for the well-being and future of children (Usta, 2023). The alarming statistics and trends presented in this chapter underscore the urgency of addressing this issue. Childhood obesity has been linked to a multitude of adverse health outcomes, from increased mortality rated to the development of chronic diseases such as type 2 diabetes, hypertension, and coronary artery diseases (Weihe et al., 2020). Not only does childhood obesity impact individuals' health and quality of life, but it also carries substantial economic burdens, straining healthcare systems and reducing overall productivity (Usta, 2023; Weihe et al., 2020).

One key contributing factor to childhood obesity is M2K. the extensive research provided in this chapter highlights the detrimental effects of marketing on children's food preferences, consumption patterns, and long-term dietary habits (Benton, 2004; Lieffers et al., 2018). Children are particularly vulnerable to the persuasive tactics used in marketing, which often promote calorie-dense and nutritionally poor products (Potvin Kent et al., 2014). The data clearly demonstrated that self-regulation measures, such as those seen in Canada's CAI, have not been effective in curbing the impact of marketing on children's dietary choices. The QCPA stringent regulations and their positive outcomes provide evidence that stricter government intervention is necessary to protect children from harmful marketing practices. However, despite strong evidence and public support, efforts to implement federal regulations on M2K, as seen with Bill S-228, have faced challenges and ultimately failed.

This study highlights the complex interplay between public health, industry interests, and policymaking. The importance of stricter regulations to restrict M2K cannot be understated. Efforts to protect children from the influence of marketing must be grounded in evidence-based policies that prioritize their well-being. The need for comprehensive regulations that encompass various media channels and settings is clear. The failure of Bill S-228 underscores the need for further research into the factors influencing policymaking processes and the barriers to enacting effective regulations.

Chapter 2 - M2K: A Narrative Literature Review

The issue of childhood obesity is a significant global public health crisis with far-reaching implications for the well-being and future of children (Choi et al., 2021). Childhood obesity has been linked to a multitude of adverse health outcomes, from increased mortality rates to the development of chronic diseases such as type 2 diabetes, hypertension, and coronary artery diseases (Carson et al., 2010; Campbell & Raine, 2019; Choi et al., 2021). Not only does childhood obesity impact individuals' health and quality of life, but it also carries substantial economic burdens, straining healthcare systems and reducing overall productivity (Campos et al., 2016; Kent et al., 2022). One key contributing factor to childhood obesity is marketing to kids (M2K) as it affects children's food preferences, consumption patterns, and long-term dietary habits. Children are particularly vulnerable to the persuasive tactics used in marketing, which often promote calorie-dense and nutritionally poor products (Kent et al., 2022; WHO, 2016). The data clearly demonstrated that despite the voluntary commitments made by the industry to regulate their marketing practices, the persistence of unhealthy food advertisements targeting children remains rampant (Castetbon et al., 2012; Choi et al., 2021). The self-regulation framework, due to its inherent reliance on voluntary compliance from advertisers, have proven to be ineffective at protecting children from marketing (Finlay et al., 2022; Fong & Izzal, 2019; Mulligan et al., 2018).

The limitations of current marketing practices have led to multiple calls from a wide range of stakeholder groups including researcher, health advocacy groups, and the public or stronger government intervention and mandatory regulations to protect children from the harmful effects of M2K (Chung et al., 2012). The Stop Marketing to Kids coalition led by Heart & Stroke and the Childhood Obesity Foundation along with ten steering committee member organisations

have united to build awareness and call for action about the effects of food and beverage marketing to children in Canada. These organisations include Alberta Policy Coalition for Chronic Disease Prevention, BC Alliance for Healthy Living, Canadian Cancer Society, Canadian Dental Association, Chronic Disease Prevention Alliance of Canada, Diabetes Canada, Food Secure Canada, Quebec Coalition on Weight-Related Problems. This call for action was also endorsed by over 120 national and international organizations and notable health experts are well (De Veirman et al., 2019; Finlay et al., 2022).

The first study of this thesis (chapter 2) aimed to describe current state of M2K and to, more specifically, answer the following research questions: *What are the current practices for restricting M2K of food products based on global data?* To accomplish this, a narrative literature review using an *inductive* content analysis methodology was used. Conducting a narrative review on M2K is valuable for this study as it provides a comprehensive and holistic view about M2K. It also provides flexibility with respect to the type of sources to be included in this study, which in turn allows for the development of a comprehensive overview and synthesis of existing literature (Horsley, 2019). The utilization of an *inductive* content analysis is well-suited for this research and its objectives. It allows for a more flexible and open exploration of the data and enables exploration of diverse perspectives and emergent themes in the data (Vears & Gillam, 2022).

2.1 A Brief Introduction to the History of Marketing

Marketing and advertising are terms that are often used interchangeably because they are closely related concepts used to promote products, services, or ideas (Lee & Cho, 2020). Both marketing and advertising are distinct important components of a company's overall promotional strategy, and they are designed to help businesses reach their target audience, generate leads, and

drive sales (Sing et al., 2022). Marketing encompasses a broad range of activities that are designed to promote products or services (Varadarajan, 2010). This includes market research, product development, pricing, distribution, and promotion (Chernev, 2018; Sing et al., 2022). Advertising, on the other hand, is a specific subset of marketing that focuses on the creation and placement of promotional messages in various media channels, such as television, radio, print, online, or social media (Sing et al., 2022; Todorova, 2015). Here the word marketing will be used to refer to both marketing and advertising as it is a broader term that encompasses both. More specifically, marketing will be used to refer to "any form of commercial communication or message that is designed to, or has the effect of, increasing the recognition, appeal and/or consumption of particular products and services", as this is the definition that has been adopted by the World Health Organization (WHO) (WHO, 2022, p. 9).

Marketing has a long and rich history that has evolved over centuries. Over time, depth, complexity, and diversity of the developments, strategies, and influences have shaped the field of marketing. It began with the invention of the printing press in 1450, which marked the beginning of mass communication and advertising (Briggs & Burke, 2009). The Industrial Revolution in the 1700s sparked the growth of mass production and distribution, leading to the rise of advertising and salesmanship. In the 1900s, the development of radio and television advertising, as well as market research and branding techniques, became popular (Sheth & Sisodia, 2012). The "Mad Man" era of adverting emerged in the 1950-60s and gaining momentum further during the 1980-90s following the development of and widespread adoption of personal computers. The advent of the internet led to the development of digital marketing and e-commerce (Gamble et al., 2011). The explosion of social media and mobile devices in the 2000s and onward has made them major marketing channels, along with the increasing use of data analytics, artificial

21

intelligence, and automation in marketing (Gamble et al., 2011). Overall, marketing has evolved

from simple advertisements and salesmanship to a complex, data-driven discipline that utilizes a

wide range of tools and techniques to reach and engage consumers (Figure 1; Briggs & Burke,

2009; Gamble et al., 2011). While marketing and advertising are not new, their utilization has

undergone a rapid and transformative evolution, particularly within the past eighty years, and

even more so over the last few decades. This transformative shift encompasses a spectrum of

mediums, ranging from television and radio to the vast digital landscape of social media, online

platforms, and mobile applications (Gamble et al., 2011; Hack et al., 2020).

| 1730: The Magazine emerged as a mean of communication | 1922: Radio advertising begins | 1972: Print media becomes less popular | 1981: IBM launches its first personal computer | 1995: Yahoo! And Altavista search engines were born | 2003-2006: LinkedIn, Facebook, YouTube, and Twitter were born |

| 1450: Gutenberg invented the printing press | 1839: Posters became popular | 1941: Television advertising begins | 1973: The first call through a cell phone was made | 1984: Apple introduces the new Macintosh | 1998: Google & MSN launched new search engines | 2010-2016: Instagram, Snapchat, tablet, and mobile are more famous | 2018-2020: Video marketing and TikTok are the new focus |

Printed Advertising → New Media → Marketing is Born → The Digital Era → The Era of Search Engines and social media

Figure 1. Marketing Timeline (Briggs & Burke, 2009; Gamble et al., 2011)

Marketing is a critical aspect of any business, as it helps build brand recognition and

reputation, attract, and retain customers, drive revenue and growth, and create value for

customers (Sheth & Sisodia, 2012; Todorova, 2015). Through effective marketing, businesses

can create a consistent and compelling message that establishes a strong identity and sets them

apart from competitors (Gamble et al., 2011). By promoting products and services, businesses

can create awareness, generate interest, and increase sales (Todorova, 2015). Marketing research

and analysis can also provide valuable insights into customer needs and preferences informing

product development and pricing strategies (Hague et al., 2013). Ultimately, marketing is

essential for businesses looking to succeed in today's competitive marketplace by connecting with their target audience, building their brand, and creating value for their customers (Briggs & Burke, 2009; Usta, 2023).

Marketing can have both positive and negative impacts on consumers (De Veirman et al., 2019). On the positive side, marketing can provide consumers with valuable information about products and services, making them more informed and empowered shoppers. Marketing can also help consumers discover new products and services that they may not have otherwise known about and can create a sense of excitement and anticipation around new releases among other benefits (De Veirman et al., 2019; Garde et al., 2017). On the other hand, marketing can have negative impacts on consumers. For example, marketing can be deceptive or misleading, leading consumers to believe that a product or service is better than it actually is (De Veirman et al., 2019). Additionally, marketing can create unrealistic expectations by using different methods including exaggerated claims, idealistic images, influencers endorsements, limited time offers to create scarcity and manipulating emotional appeals (Briggs & Burke, 2009; Hague, 2013; Sheth & Sisodia, 2012). The impact of marketing on consumers can vary but mainly depends on two main factors: *exposure* and *power* (Rachel, 2017; WHO, 2012).

Exposure refers to the degree to which consumers are exposed to marketing messages (Kelly et al., 2015). The more exposure consumers have to marketing, the more likely they are to be influenced by it. For example, if a consumer is exposed to a marketing message multiple times, they may be more likely to remember the message and consider the product or service being marketed (Kelly et al., 2015). *Power* refers to the influence that marketing has over consumer behaviour (Reeve et al., 2018). This can depend on a variety of factors, including credibility and trustworthiness of the marketing message, the perceived value of the product or service being

23

marketed, and the context in which the marketing is presented (Kelly et al., 2015; Reeve et al., 2018). In other words, exposure is all about the quantity, frequency and reach of marketing while power is more about the extent to which marketing convinces its target audience (Barry & Howard 1990; Hooley, 2005; Raine et al., 2013; Russell et al., 2019; Villarejo-Ramos & Sanchez-Franco, 2005).

Food marketing is a branch of marketing that is dedicated to the promotion and sale of food products (Kraak et al., 2005). It involves a comprehensive understanding of consumer behaviour, market trends, and business strategies within the context of the food industry (Liusvia et al., 2023). Food marketing professionals analyze market research data, demographic information, and consumer preferences to identify target markets and develop effective marketing strategies (Qader et al., 2022). These strategies include product positioning, branding, advertising, and pricing tactics to influence consumer choices and drive product sales (Hoskins, 2020). Furthermore, the field also explores the impact of digital technologies and social media on food marketing, as these platforms provide new avenues for engaging with consumers and building brand loyalty (Qader et al., 2022).

Overall, food marketing combines elements of marketing, consumer behaviour, and food industry knowledge to create and implement successful marketing campaigns that effectively reach and engage consumers in the competitive food market (Barska et al., 2023). Food marketing has significant effects on consumer behaviour, food choices, and overall dietary patterns (Deshpande et al., 2009). The various strategies employed by food marketers can shape consumer perceptions, preferences, and purchasing decisions (Liusvia et al., 2023). These effects include influence on consumer preferences, impact on dietary choices, formation of brand loyalty, perception of product quality and healthiness, and impact on food culture and trends

(Qader et al., 2022; Liusvia et al., 2023). Importantly, it can also establish "brand loyalty" where consumers will continue to use/purchase products later in life, cementing a lasting connection between consumers and brands and contributing to long-term market success and sustainability.

When marketing is targeted towards vulnerable populations such as children, it can have harmful effects (Bozzola et al., 2022). Companies may use persuasive and deceptive marketing tactics to make products more appealing to children, leading to a higher consumption of their products (Mehta et al., 2012). M2K refers to the practice of promoting products and services to children in order to influence their consumer behaviour (Vergeer et al., 2019). This can include advertising on television, social media, and other platforms, as well as product placements in movies, television shows, and video games. While marketers argue that these practices are harmless and simply serve to inform children about products, research has shown that M2K negatively impacts children's health and well-being as these products are often foods high in fat, sugar and salt (HFSS) (Nassar & Al Zien, 2012; Strasburger et al., 2010; Vergeer et al., 2019).

Several systematic reviews have concluded that unhealthy food and beverage marketing directed at children negatively impacts their eating behaviours, taste preferences, purchasing requests, food preference, food choices, and food consumption (Boyland & Halford, 2013; Cairns et al., 2013; De Veirman et al., 2019; Norman et al., 2016). Cairns et al. (2013) reported that television-based food and beverage marketing directed at children predominantly promotes unhealthy foods such as sugary breakfast cereals, carbonated and sweetened juice beverages, fast food meals, and candy. Another recent systematic review published in 2022, collated evidence from 39 published studies and found that playing an advergame (an interactive video game designed as a promotional tool to advertise a brand, product, or service) containing a food message for five minutes increased children's short-term food consumption by 53.4 calories per

day when compared to advergames without food messages (Malacarne et al., 2022). Additionally, there appear to be an effect by Body Mass Index (BMI) where dietary intake of children with overweight or obesity increased to a greater extent that children with healthy weight (Russell et al., 2019). Studies have also found that exposure to food marketing increases children's preference for unhealthy foods, leading to higher rates of obesity and related health issues (Mehta et al., 2012; Sadeghirad et al., 2016; Strasburger et al., 2010). In the larger context of the ongoing childhood obesity crisis, these findings underscore the multifaced role that marketing, including interactive media, plays in influencing children's eating behaviour and overall health outcomes. This calls for a concerted effort to comprehensively understand, regulate, and mitigate the influence of such marketing practices, in order to help protect our children (Malacarne et al., 2022).

Furthermore, M2K threatens children's rights, affecting their physical health as well as their emotional, mental, and spiritual well-being (Boyland & Halford, 2013; Norman et al., 2016). The United Nations Convention on the Rights of the Child (UNCRC) has held that marketing of unhealthy foods and beverages can undermine children's right to health by promoting and encouraging the consumption of products that contribute to obesity, poor nutrition, and related health issues (Tatlow-Golden & Garde, 2020; United Nations, 1991). This can impair a child's ability to enjoy the highest attainable standard of health. Children have the right to be protected from any form of exploitation, including commercial exploitation (Tatlow-Golden & Garde, 2020). Marketing tactics that target children can exploit their vulnerabilities and lack of understanding, leading to the promotion of products that may not be suitable or beneficial for them (Tatlow-Golden & Garde, 2020). Children also have the right to access accurate and age-appropriate information and education. However, marketing messages may manipulate or

26

mislead children by presenting unrealistic claims or concealing important information (Tatlow-Golden & Garde, 2020). This can hinder their ability to make informed choices and critically evaluate the information they receive. Additionally, children have the right to engage in play, leisure activities, and cultural life (Tatlow-Golden & Garde, 2020). However, marketing can infiltrate these spaces, using advergames, sponsorships, and branding in an attempt to commercialize children's play and limit their access to non-commercial activities (Jackson et al., 2014). This intrusion into their leisure activities becomes particularly concerning in the context of contemporary technological advancements, which have introduced new avenues for marketing to infiltrate children's lives in increasingly intricate ways (Miller et al., 2021). Finally, children have the right to privacy and protection of their personal information (Jackson et al., 2014). However, marketing techniques, particularly online, can collect and exploit children's personal data without their understanding or consent, compromising their privacy rights (Tatlow-Golden, 2020).

Children are exposed to marketing not only through traditional media such as television, radio, and billboards, but also in new media such as the internet and smartphones and in schools, magazines, packaging, sponsorships, shops, tie-ins with licensed characters and programmes, supermarket, and other places where children gather or attend (Boyland & Halford, 2013; Campbell et al., 2014; De Veirman et al, 2019). Children are particularly susceptible to marketing as their cognitive development is relatively limited. For example, young children in the "pre-cognition" stage are unable to differentiate what constitute television marketing from television content (Smith et al., 2019). Children are more likely to believe marketing as factual (De Veirman et al., 2019). Also, since food marketers use extensive, sophisticated, and persuasive techniques, that creates a natural and spontaneous atmosphere, younger children are

known to interpret messages as assistive information (perceiving and understanding the messages they receive as helpful and supportive in guiding their understanding and actions) (Cairns et al., 2013; Smith et al., 2019). Child-targeted food and beverage marketing uses elements of fantasy, animation, and other techniques such as licensed and spokes characters (e.g., Tony the Tiger) and toys (e.g., Happy Meal) to attract children (De Veirman et al., 2019). Consequently, as children have a limited understanding of the persuasive and biased nature of food marketing, they tend to view marketing as fun, entertaining, and truthful (Barve et al., 2015). It is within this development context that the enduring impact of marketing on children's perceptions and behaviours becomes evident. The power of early exposure to marketing, combined with the influence of engaging tactics and a limited understanding of its persuasive intent, can lay the foundation for long-lasting consumer behaviours, preferences, and brand loyalty that persist into adulthood (Barve et al., 2015).

2.2 Global Food Marketing Regulation Landscape

Rising concerns about the nutritional quality and volume of food and beverage marketing targeted to children and the impact that marketing has on children's health, have resulted in national and international calls to action to restrict food M2K (Cairns et al., 2013; Smith et al., 2019; Wilde, 2009). Globally, consumer groups, parents, teachers, professional associations, and public health advocacy groups are also pushing for more aggressive actions to limit M2K (Lowenstein, 2011). Some groups, such as child advocacy organisations and public health experts, are calling for a ban on M2K altogether, while others are pushing for more comprehensive regulations that would limit the types of products that can be marketed, as well as restrictions on when and the ways in which some products can be marketed (Hawkes & WHO, 2004; Lowenstein, 2011). In 2007, the World Health Assembly recognized the impact of M2K

and called for a set of recommendations for members states to address this issue (WHO, 2012). The goal was to create a global framework that would promote healthy diets and prevent childhood obesity by regulating the marketing of unhealthy foods and beverages to children (WHO, 2012). Following this call to action, by 2010, at least 22 countries around the world had published policies on M2K (Al-Jawaldeh et al., 2020; Kelly et al., 2019). These policies included a variety of approaches, including statutory controls, industry-led self-regulations, and co-regulation arrangements. Statutory controls are government-enforced regulations that restrict the marketing of certain products to children (Boyland & Halford, 2013).

Additionally, the WHO has made a number of recommendations for countries to help limit children's exposure to M2K and prevent childhood obesity (WHO, 2012). Some of these recommendations include: limiting the volume of food and beverages marketing seen by children in all forms of media and in places where children gather; adopting policies that restrict or ban the marketing of unhealthy food and beverages to children, particularly those that are HFSS; developing and implementing effective regulations to ensure that food and beverage marketing to children is truthful, accurate, and not misleading; encouraging the promotion of healthy foods and beverages that meet nutritional guidelines and are appropriate for children; supporting education campaigns that help parents, caregivers, and children understand the impact of marketing on dietary choices and oversell health; working with food and beverages companies to encourage the reformulation of products to reduce levels of salt, sugar, and unhealthy fats; and, finally, encouraging industry-led self-regulation to limit marketing of unhealthy foods and beverages to children (WHO, 2012).

The implementation of the WHO recommendations so far has been rather limited, as no country has yet enacted a comprehensive policy to protect children from the harmful impact of

food marketing (Cairns et al., 2013). Instead, as noted above, a variety of approaches to impose restrictions on M2K have been taken in different countries (Cairns et al., 2013; Galbraith-Emami & Lobstein, 2013). For example, a small but growing number of countries have implemented mandatory policies to restrict unhealth M2K, including Chile, France, the UK, Mexico, and South Korea (Mulligan et al., 2020). Other countries continue to rely on industry-led self-regulation, including Australia, New Zealand, United States (US), Germany, Switzerland, and Netherlands (Cairns et al., 2013; Mulligan et al., 2020). Some other countries have a co-regulatory approach which refers to a collaborative approach where both industry and government entities work together to develop and enforce guideline (e.g., Sweden, Netherlands and New Zealand).

When looking at statutory regulations, Quebec, for example, has enacted the *Quebec Consumer Protection Act* (QCPA) which prohibits commercial marketing directed at children under the age of 13 (*Consumer Protection Act*, 1978). This means that companies are not allowed to use tactics that specifically target young children, such as cartoon characters or toys, in their marketing, and there are also restrictions on misleading content, exploitation of emotions, and on advertising during children's programs or other media specifically designed for children. This encompasses television programs, radio shows, online content, and other media platforms that have been tailored to cater children (Gamble et al., 2011). Another example is the United Kingdom (UK) *Code of Non-broadcast Advertising and Direct & Promotional Marketing* (CAP Code) (Advertising Standards Authority, 2007). The CAP Code requires that advertisements targeted to children must be socially responsible and not exploit their vulnerability or lack of experience. It prohibits misleading or harmful content, as well as any direct encouragement to children to make a purchase or persuade their parents to do so. The CAP Code also states that

marketing communication should not condone or encourage unsafe behaviour, unhealthy

lifestyles, or poor nutritional habits (Advertising Standards Authority, 2007). Similarly, in Chile,

the government has implemented laws that prohibit the use of cartoon characters and other

marketing techniques that appeal to children in the promotion of unhealthy foods (Mediano

Stoltze et al., 2019). While not all policies and approaches are explored in depth here, it's

indicative that some countries have recognized that M2K requires more strict regulations.

Industry-led self-regulation involves voluntary guidelines that companies agree to follow

in order to limit the marketing of unhealthy foods and beverages to children (Galbraith-Emami &

Lobstein, 2013). These guidelines are often developed by industry associations and may include

restrictions on the use of certain types of marketing techniques, such as celebrity endorsements

or product placement in children's television programs. For example, in Canada there is

industry-led-self regulation through the *Canadian Children's Food and Beverage Advertising*

Initiative (CAI). The CAI is led by major food and beverage companies that have agreed to

follow specific advertising guidelines to limit the marketing of unhealthy foods and beverages to

children under the age of 12 (e.g., McDonalds, Coca-Cola, Kellogg, Nestle, and Kraft Heinz)

(Galbraith-Emam & Lobstein, 2013). A growing body of literature indicates that voluntary self-

regulation by food industries has not meaningfully reduced children's exposure to marketing for

unhealthy food and beverages (Ling et al, 2023). Less is known about the effects of mandatory

policies (Flemming-Milici & Harris, 2020; Galbraith-Emam & Lobstein, 2013; Mulligan et al.,

2020; Sharma & Brownell, 2010). There is growing evidence to suggest that such polices may be

more effective than voluntary self-regulation initiatives in reducing children's exposure to

marketing for unhealthy foods and beverages (Galbraith-Emami & Lobstein, 2013; Mulligan et

al., 2020).

Finally, co-regulation arrangements involve a partnership between industry and government to develop and enforce marketing guidelines. This approach allows industry to have some control over the process while also ensuring that government oversights is in place to protect children's health and well-being (Finlay et al., 2022; Galbraith-Emami & Lobstein, 2013). An example of a country that has co-regulation arrangements for M2K is Sweden. In Sweden, co-regulation is employed through the *Swedish Code for Advertising to Children* (Edström, 2022). This Code is developed and enforced by the advertising industry's self-regulatory body, known as Reklamombudsmannen (RO). RO works in partnership with the Swedish government to ensure responsible advertising practices targeted at children. The Swedish Code includes guidelines that restrict the marketing of certain products to children, such as HFSS products (Edström, 2022). In Canada, for example, co-regulations exist. Quebec has enacted strict regulations – often identified in the literature as the 'gold standard' for M2K (Gaucher-Holm et al., 2022). More recently, the Federal Government announced the Healthy Eating Strategy (HES), a government-led initiative that aims to improve the health of Canadians by promoting healthy eating habits (Health Canada, 2017). The strategy was launched in 2016, contemporaneous with Prime Minister Trudeau's call in his mandate latter to restrict M2K and focuses on a range of policy initiatives designed to support Canadians in making healthier food choices. The key pillars of the HES include: limiting the marketing of unhealthy foods and beverages to children by implementing stricter regulations on advertising and marketing; front-of-package labelling that provides clearer and more consistent information to consumers about the nutritional content of packaged foods; sodium reduction targets to reduce the amount of sodium in the Canadian diet, including working with the food industry to reformulate products and provide consumers with more low-sodium options; the elimination of trans-fat from Canadian food products; and healthy

eating tools and resources to assist Canadians with making healthier food choices, which

included initiatives like the development of healthy eating guidelines (e.g., *Canada's Food

Guide to Healthy Eating*) and the provision of education and outreach programs (Government of

Canada, 2021). A more comprehensive exploration of the Canadian context will be provided in

Chapter 3 of this thesis.

This first study of this thesis (chapter 2) aimed to describe current state of M2K and to, more

specifically, answer the following research questions: *What are the current practices for

restricting M2K of food products based on global data?* It's important to note that this review

doesn't primarily seek to identify the optimal policy for implementation; rather, its central focus

is to offer a comprehensive review of various existing policies and their intended aims.

2.3 Search Methods and Parameters

A narrative review methodology was adopted to explore the literature on M2K. The narrative

review allows for the development of a comprehensive overview and synthesis of existing

literature (Horsley, 2019). The goal of this narrative review is not to systematically measure and

rigorously include all literature investigating the effectiveness of all M2K policies around the

world, but rather to provide a narrative of what is available in literature that is most relevant to

this thesis, and specifically, the Canadian context. In other words, the review will focus on

identifying and examining the literature that is most relevant to the research question developed,

which will be further discussed in the following sections. This approach is appropriate because it

provides flexibility regarding the type of sources to be included in the search, allowing for the

development of a comprehensive overview and synthesis of existing literature (Horsley, 2019).

The utilization of an *inductive* content analysis is also well suited for this research and its

objective as it allows for flexibility and exploration of diverse themes and perspectives in the data (Horsley, 2019).

The search strategy and methodology were developed in consultation with Western University librarians from the Weldon Library and the Law Library. Librarians from different disciplines were consulted simultaneously to assist with devising the search strategy, key terms, and overall methodology given that M2K is assessed from varying perspectives. In particular, given that M2K may require government policy or legislation, it was important to capture any legal literature on point. Generally, this literature review aimed to identify information about the various policies being used around the world to help restrict M2K. This is consistent with the purpose of a narrative review methodology, which aims to provides readers with up-to-date knowledge about a specific topic (Wiles et al., 2011). This includes both methodological and empirical research that identifies where a field of research is currently situated, as well as forecast future areas for this research to expand.

Relevant literature was discovered though the databases Scopus, Medline (OVID), and EMBASE covering a range of disciplines including health, public health, and policy.[1] These databases were used because they are highly comprehensive databases used in the field of medicine, the life sciences, and social sciences, which resulted in the most comprehensive search compared to other databases. Search terms were identified for each of the following concepts: "food and beverage", "advertising" (advertising and marketing), "Child" (children, youth, adolescent, teens, and kids), and "policy" (regulations, initiatives, bills, and proposals) (see Table

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[1] While a law librarian was consulted, in discussion with them and my supervisor, who is a legal scholar, we elected to not use a law database. This is largely due to restrictions with these databases (e.g., they are not as efficient or practical for using to do literature reviews) and the sense that the other databases would identify the relevant literature.

2). The terms were selected based on their relevance to the research questions and the scope of the databases being used. Additional terms were not used because the search terms that were selected were deemed sufficient to capture the relevant literature and recognition that including too many search terms would result in an overly broad search that retrieved irrelevant articles, while too few search terms resulted in missed relevant articles. Therefore, in consultation with librarians, search terms were chosen carefully to optimize results and ensure comprehensiveness. Search terms were applied to title, abstract, and used as keywords. Subject headings were used where applicable. Reference lists of all included articles were scanned to identify any additional relevant studies. The search was conducted in July 2022.These dates were used to capture what was currently happening globally around M2K and to review what happened post Prime Minister Trudeau's Mandate Letter released in 2016. As discussed in Chapter 1, the Mandate Letter specifically highlighted the impact of marketing on children's food choices and the need for action to address this issue (Trudeau, 2021). It also emphasized the importance of working with stakeholders, including industry and public health experts, to develop effective policies and regulations that would protect children's health while also promoting economic growth (Trudeau, 2021).

Table 3. Search Terms

Topic	Search Terms	
1. **Food and Beverages**	"Food", "Nutrition", "drink", "beverages"	Terms combined with the operator "OR"
Terms combined with the operator "AND"		
2. **Marketing**	"Advertis*", "Marketing"	Terms combined with the operator "OR"
Terms combined with the operator "AND"		
3. **Kids**	"Child*", "youth", "adolescent", "teen*"	Terms combined with the operator "OR"

	Terms combined with the operator "AND"	
4. **Policy**	"policy", "regulation", "Bill", "proposal"	Terms combined with the operator "OR"

Further, only literature published in English was included in the search without any other limits or restrictions. To keep the search method as systematic and inclusive as possible no restrictions to the type of study were applied. For example, policy analyses, randomized, observational, reviews, qualitative and quantitative studies were all eligible for inclusion (see Table 3).

Table 4. Narrative Review Search Methodology: Eligibility Criteria

Inclusion Criteria	Exclusion Criteria
Any study (randomized, observational, reviews, grey literature, qualitative and quantitative) that introduce, assess, or examine any type of policy designated to restrict unhealthy food or beverage marketing directed at children	Any study that does not introduce, assess, or examine a type of policy designated to restrict unhealthy food or beverage marketing to children.
Any type of regulation (mandatory and/or voluntary	In languages other than English
Available and accessible in English	

Articles were excluded if they did not introduce, assess, or examine policies related to unhealthy food and beverage marketing and/or if the articles were not published in English. Grey literature was deemed relevant if it evaluated or assessed any aspects of a policy to restrict unhealthy food and beverage marketing in Canada and internationally. This included policy documents (e.g., policy proposals, implementation plans, or evaluations), media releases, and reports from inter-governmental agencies and nongovernment organizations (NGOs, e.g., the Heart and Stroke, Obesity Foundation, and World Cancer Research Fund). An article was

included if it evaluated any kind of regulation whether mandatory or voluntary. This study did

not require ethics approval from Western University's Non-Medical Research Ethics Board

(NMREB), given that it used information that is publicly accessible, as per the Tri-Council

Policy Statement (Article 2.2).

2.4 Data Collection and Analysis

Following the search process and removal of duplicates, all titles and abstracts were screened

independently by one author. Each article was assessed against the eligibility criteria by one

author (based on title, then abstract, then read in full). Any discrepancies or concerns were

discussed with the supervisory committee. Given that the aim of this arm of the study was to

identify the current practices for restricting M2K, an *inductive* content analysis methodology was

used to guide the data analysis for this portion of the study. The first step in conducting an

inductive content analysis is identifying key concepts or variables as the initial coding categories

(Wong, 2008). The basis of coding categories included *mandatory regulations*, *voluntary*

regulations, and *co-regulations*, reflecting the spectrum of strategies countries employ to manage

M2K. These categories facilitated the organization and interpretation of data, enabling a

comprehensive examination of the diverse approaches that nations undertake to address the

issue. Any text that could not be categorized by the initial coding schema was given a new code,

which builds a degree of inductivity to the process (Hsieh & Shannon, 2005). This approach

strengthens the overall credibility and reliability of the study's finding and contributes to a more

nuanced understanding of the practices related to *mandatory regulations*, *voluntary regulations,*

and *co-regulations* for restricting M2K. Then, where available, the following information was

extracted: author(s), title, publication date, jurisdiction (country, state, etc.), study design

(observational study, review, evaluation, etc.), regulatory system, outcome measured, advertising

media discussed, and key findings and recommendations of the study. Tables were used to record key details of each included article from the literature. Coding was facilitated by the qualitative software NVivo 10 (Wong, 2008).

2.5 Findings

2.5.1 Description of included Studies

The search of all three databases produced a list of 495 potential eligible papers (Figure 2). Of these, 213 were eliminated as they were identified as duplicates. Abstracts of the remaining 282 papers were examined and 135 were excluded as they did not contain information about current practices related to M2K globally or in Canada. A full review of the 147 remaining papers was undertaken to assess for eligibility and a further 117 papers were excluded as not having relevant information on the current practices related to M2K. The exclusion of papers was mainly due to duplication, access, and language. The remaining 30 papers are shown in Table 5. Table 5 summarizes the main characteristics of the papers that met the inclusion criteria, including: year of publication, country/region of the policy, the definition of children used in the study, name of policy being evaluated, year of policy implementation, policy type (mandatory verses voluntary), study design, and outcomes reported. Out of the 30 papers included, 16 papers were on voluntary and co-regulations while 14 papers were on mandatory regulations (see Table 5).
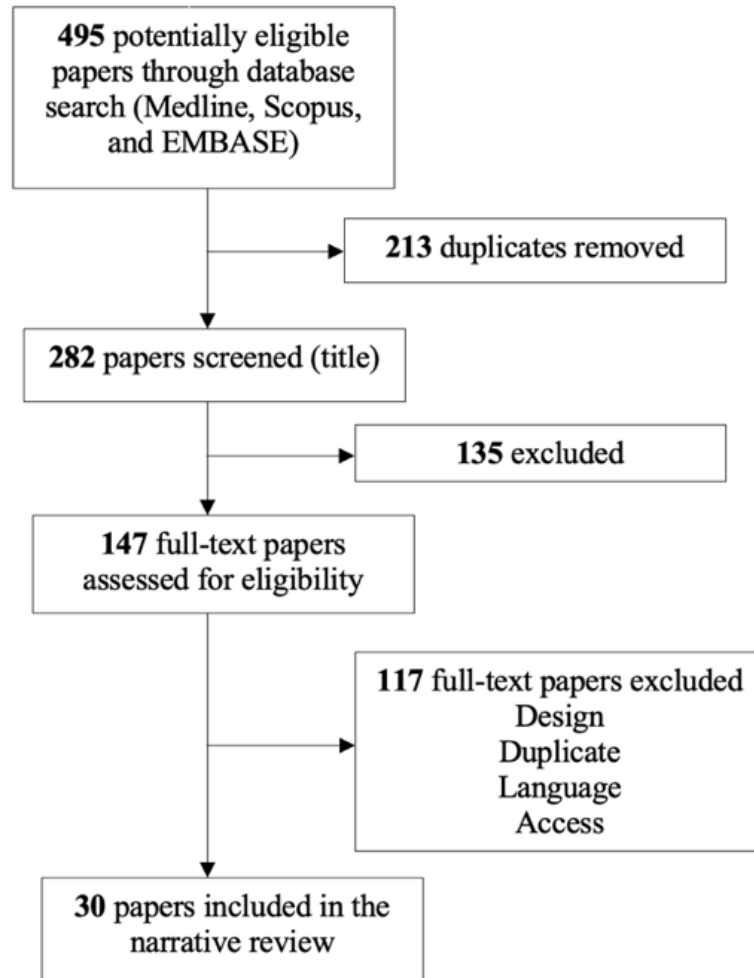
Figure 2. Study Selection

Table 5. Overview of Key Characteristics of the Included Studies (N=30)

#	Author and year of publication	Country or region of policy	Definition of Children	Policy evaluated	Year	Policy type	Outcome reported
1	Adams et al., 2012	UK	4-15 years	UK content and scheduling [Office of communication (Ofcom)] restrictions	Phased 2007-2009	Mandatory	Exposure on television
2	Brindal et al., 2011	Australia	N/A[2]	Australian Food and Grocery Councils (AFGC) Responsible Marketing to Children Initiative (RCMI)	2009	Voluntary	Exposure and power on television
3	Brunmenstrabe et al., 2008	Germany	N/A	EU Pledge	2007	Voluntary	Exposure on television
4	Campos et al., 2016	Spain	< 15 years	European and Spanish Public Health Laws	2011	Mandatory	Exposure on television
5	Carpentier et al., 2020	Chile	< 14 years	Chile Food Labelling and Advertising Regulation	2016	Mandatory	Exposure on television
6	Clarke et al., 2007	Canada	< 13 years	Quebec Consumer Protection Act	1980	Mandatory	Prices
7	Dhar & Baylis, 2011	Canada	< 13 years	Quebec Consumer Protection Act	1980	Mandatory	Fast Food consumption
8	Harris et al., 2015	US	N/A	Children Food and Beverage Advertising Initiative (CFBAI)	2006	Voluntary	Exposure and power on television
9	Hebden et al., 2011	Australia	N/A	Australian Quick Service Restaurant Industry Initiative for Responsible	2009	Voluntary	Exposure on television

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[2] N/A here denotes that an age range or definition of "children" was not provided.

				Advertising and Marketing to Children (QSRI)			
10	Jensen et al., 2021	Chile	< 14 years	Chile Food Labeling and Advertising Regulation	2016	Mandatory	Exposure on television
11	Kent et al., 2013	Canada	< 13 years	Quebec Consumer Protection Act	1980	Mandatory	Power on website
12	Kent & Pauzé, 2018	Canada	N/A	Canadian Children's Food and Beverage Advertising Initiative (CAI)	2008	Voluntary	Exposure on websites
13	Kim et al., 2013	South Korea	< 18 years	Special Act on Safety Management of Children's Dietary Life	2010	Mandatory	Advertising budget
14	King et al., 2011	Australia	N/A	Australian Food and Grocery Councils (AFGC) Responsible Marketing to Children Initiative (RCMI) Australian Quick Service Restaurant Industry Initiative for Responsible Advertising and Marketing to Children (QSRI)	2009	Voluntary	Exposure on television
15	Kunkel et al., 2015	US	N/A	Children Food and Beverage Advertising Initiative (CFBAI)	2006	Voluntary	Exposure and power on television
16	Landwehr & Hartmann, 2020	Germany	N/A	EU Pledge	2007	Voluntary	Exposure on television
17	Lavrisa et al., 2020	Slovenia	N/A	Slovenian food marketing regulations	2017	Mandatory	Exposure on television
18	Mediano et al., 2019	Chile	< 14 years	Chile Food Labeling and Advertising Regulation	2016	Mandatory	Exposure and power on packaging
19	Ofcome, 2008	UK	4-15 years	UK content and scheduling [Office of communication (Ofcom)] restrictions	Phased 2007-2009	Mandatory	Exposure and power on television

20	Otten et al., 2012	US	<12 years	San Francisco Health Food Incentives Ordinance	2011	Mandatory	Sales level
21	Potvin Kent et al., 2014	Canada	N/A	Canadian Children's Food and Beverage Advertising Initiative (CAI)	2008	Voluntary	Exposure and power on television
22	Potvin Kent et al., 2012	Canada	< 13 years	Quebec Consumer Protection Act	1980	Mandatory	Exposure on television
23	Potvin Kent et al., 2011	Canada	N/A	Canadian Children's Food and Beverage Advertising Initiative (CAI)	2008	Voluntary	Exposure on television
24	Potvin Kent & Wanless, 2014	Canada	N/A	Canadian Children's Food and Beverage Advertising Initiative (CAI)	2008	Voluntary	Exposure on television
25	Powell et al., 2013	US	N/A	Children Food and Beverage Advertising Initiative (CFBAI)	2006	Voluntary	Exposure on television
26	Shen et al., 2022	New Zealand	N/A	Advertising Standards Authority (ASA)	2017	Voluntary	Exposure on television
27	Sing et al., 2020	New Zealand	N/A	Advertising Standards Authority (ASA)	2017-2019	Voluntary	Exposure and power on television, online, outdoor and printed
28	Vergeer et al, 2019	Canada	N/A	Canadian Children's Food and Beverage Advertising Initiative (CAI)	2008	Voluntary	Exposure and power on website
29	Watson et al., 2017	Australia	N/A	Responsible Children's Marketing Initiative (RCMI) and Quick Service Restaurant Initiative (QSRI)	2009	Voluntary	Exposure to television
30	Whalen et al., 2019	UK	4-15 years	UK content and scheduling [Office of communication (Ofcom)] restrictions	Phased 2007-2009	Mandatory	Exposure on television

Of the 30 papers included in the study, all were observational studies. These studies aimed to

assess various aspects related to the current state of M2K. The evaluation focused on three main

types of comparisons: (i) changes before or after the implementation of policies (or during the

implementation in the case of Chile), (ii) differences in outcomes between jurisdictions with and

without restrictions, and (iii) comparisons between countries that had or did not have policies.

No studies were explicitly funded by food industry. Most of the papers evaluated food marketing

policies in high-income countries, namely Canada (n=9), the US (n=4), the UK (n=3), Australia

(n=4), New Zealand (n=2), Germany (n=2), Spain (n=1) Slovenia (n=1), South Korea (n=1), and

Chile (n=3). Apart from the regulation in Quebec, which was implemented in 1980, all the

marketing policies have been enforced since 2006. This indicates that regulations are

increasingly becoming prevalent. No study was found to be funded by the food industry is a

positive indicator of the credibility of the research and the policy recommendations based on it.

2.5.2 Mandatory, Voluntary and Co-Regulations

This review identified ten countries that regulate food and beverage marketing to children

using one of three major systems: mandatory and voluntary coregulation, mandatory regulations,

or voluntary regulation. The US (Harris et al., 2015; Kunkel et al., 2015; Otten et al., 2012;

Powell et al., 2007), Canada (Clarke et al., 2007; Dhar & Baylis, 2011; Kent et al., 2013; Kent &

Pauzé, 2018; Potvin Kent et al., 2014; Potvin Kent et al., 2012; Potvin Kent et al., 2011; Potvin

& Wanless, 2014; Vergeer et al., 2018), and Australia (Brindal et al., 2012; Hebden et al., 2011;

King et al., 2011; Watson et al., 2017) use both mandatory and voluntary coregulation systems,

while Chile (Carpentier et al., 2020; Jensen et al., 2021; Mediano et al., 2019), Slovenia (Lavrisa

et al., 2020), Spain (Campos et al., 2014), South Korea (Kim et al., 2013), and the UK (Adams et

al., 2012; Ofcome, 2008; Whalen et al., 2017) use mandatory regulations, and Germany

(Brunmenstrabe et al., 2008; Landwehr & Hartmann, 2020) and New Zealand (Shen et al., 2022;

Sing et al., 2020) use voluntary regulation.

Out of these ten countries, seven have statutory regulations on M2K: the UK, Chile, the US,

(Santa Clara, California)[3], South Korea, Spain, Slovenia, and Canada (Quebec). Compared with

other countries around the world, the UK has developed and implemented more sophisticated

and comprehensive regulations for controlling M2K (Hawkes & Harris, 2011). The UK

introduced mandatory regulation to restrict marketing of specific foods and beverages to children

on television in 2007, and cable and satellite channels in 2009 (Hawkes, 2007; Nieto et al.,

2022). The 2010 UK Code of Broadcast Advertising *(British Committee of Advertising Practice*

[BCAP] Code) replaced the 2007 scheduling restriction, which prohibits advertising and product

placement of foods with a HFSS composition as defined by a nutrient profiling model published

by the UK's Food Standards Agency in December 2005, during and adjacent to television and

radio programmes with a particular appeal to viewers under the age of 16 (Taillie et al., 2019).

Many studies have found that the restrictions have reduced children's exposure to HFSS

marketing significantly, particularly in the case of younger children, who may be more

susceptible to the influence of marketing (Boyland & Harris, 2017; Galbraith-Emami &

Lobstein, 2013). The restrictions have led to a sharp drop in HFSS marketing featuring various

marketing techniques considered attractive to children (i.e., the sugar threshold decreased from

22.5g of sugar per 100 g or 100 mL in 2016 to 10 g of sugar per 100 g or 100 mL in 2019)

(Taillie et al., 2019). However, despite these regulations, studies have also shown that children in

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[3] In this context, the US is acknowledged to have regulations due to their existence in certain member states, though not uniformly across all states. Likewise, Canada, specifically Quebec, follows similar pattern. The establishment of a M2K policy within a state or province serves as a tangible example that, at the very least, regulating M2K is achievable. Furthermore, it offers insights into the potential components that can be integrated into such policies.

the UK have continuing contact with marketing from marketers, both within the UK and from sources beyond the UK borders, using a range of new and traditional media (Landon, 2013; Taillie et al., 2019). It is worth noting that while the UK has relatively developed regulatory landscape for controlling M2K, there is still a need for stronger policies and regulations to protect children from the negative impact of marketing. There are also calls for extending these regulations to other forms of media, including social media and online marketing, as well as product packaging, point of sale marketing, and sponsorship (Harris & Taillie, 2022; Hawkes & Harris, 2011).

In 2016 Chile became a world leader in anti-obesity regulations. The Chilean law requires that all HFSS foods feature a stop-sign warning label, serving as a visible reminder of their potential health risks. Moreover, the legislation bans any form of M2K, communication, recommendation, propaganda, information, or action intended to promote the consumption of a product. This restriction applies to all media and advertising channels where a marketing is considered directed at children, which is defined as the case when 20% or more of the audience consists of children under the age of 14. After the implementation of the law, to assess the impact of the regulation, Carpentier et al. (2019) found that children's exposure to advertising on popular broadcast and television in Chile was reduced significantly but was not removed from their viewing during the initial stages of the regulation. However, significant reductions in television advertising – and hence in M2K – were seen at later phases (Jensen et al., 2021; Mediano et al., 2019). Another study assessed changes in marketing strategies on breakfast cereal packages after the implementation of the first statutory regulation of child directed marketing, which limits marketing content on food packages. This found that 85% of "high-in" (if they exceeded any nutrient threshold described in the regulation as products that are energy

dense and high in sugars, such as sugary, sweetened beverages, breakfast cereals, snacks and candies) breakfast cereal packages were compliant with the child-directed marketing restriction seven months after the regulation was implemented, showing a significant reduction in child-directed marketing (Harris & Taillie, 2022). Finally, a more recent study done by Jensen et al., (2021) found that exposure to the marketing of "high-in" foods (i.e., food HFSS) was significantly reduced following the policy implementation. Overall, the phased approach of the Chilean law has been effective in reducing M2K in the country.

To date, the US has overwhelmingly relied on industry-derived standards and self-regulations to regulate M2K. The US food industry has introduced several voluntary self-regulatory initiatives including the 2006 Children's Advertising Review Unit's (CARU) and the 2007 *Children's Food and Beverage Advertising Initiative* (CFBAI). The CARU's *Self-Regulatory Program for Children's Advertising* provides guidance for all forms of child-targeted advertising including restrictions that prevent deceptive advertising and prohibits the use of toy premiums and promotional characters appealing to children (under 12 years old) during or adjacent to children's programming (Wilde, 2009). The guidelines also require that foods must be advertised within the context of a balanced meal, depict an appropriate serving size, and not discourage consumption of fruits and vegetables or foods recommended by the United States Department of Agriculture's Dietary Guidelines for Americans and the *My Pyramid Food Guide* (Boyland & Harris, 2017; Reedy & Krebs-Smith, 2008). On the other hand, the CFBAI focuses specifically on food advertising to children under 12 years old. 19 large food and beverage corporations have committed to marketing only foods that comply with the Uniform Category-Specific Nutrition Criteria (developed by CFBAI-participating companies) or not market to children at all during certain programming (Wilde, 2009). However, some experts have criticized these pledges as

weak and insufficient to effectively protect children from M2K (Pometanz & Mozaffarian, 2022).

In 2010, Santa Clara County in California became the first jurisdiction in the US to implement an ordinance prohibiting the distribution of toys and other incentives with meals, foods, or beverages that did not meet nutritional criteria in the unincorporated region of the county. The primary goal of the ordinance is to encourage healthier food choices by preventing restaurants from using toys to make unhealthful food items appealing to children under the age of 12 (Otten et al., 2012). As a result of the ordinance, restaurants began to promote healthier meals and stopped distributing toys with unhealthy food items. In particular, a global fast-food chain restaurant revised its menu to promote meals that met the nutritional criteria of the ordinance and only included toys with these healthier options. Overall, the Santa Clara County ordinance has had a positive impact on affected restaurants, promoting healthier default options and encouraging consumers to make healthier choices (Otten et al., 2012).

South Korea introduced regulation to restrict the advertising of energy-dense, nutrient-poor (EDNP) foods to children under 18 years old in 2010 (Han et al., 2013; Lim et al., 2017). This regulation mainly targeted food products that are marketed as "high-low snack food preferred by children" or "high-low meal substitute preferred by children" (Table 6). Specifically, the law prohibits television advertisements during children's prime time viewing hours of 5-7pm and prohibits companies from offering incentives like free toys or gifts to promote their products on television, radio, and the internet. According to a study conducted by Kim et al. (2013), this regulation has had a positive impact on reducing the advertising budget of EDNP foods in South Korea. The study even found that the total budget spent of the marketing of EDNP food and drink decreased for companies by 31% from 2009 to 2010.

Table 6. The Nutritional Standards developed by Korean Food & Drug Administration

"High-low snack food preferred by children"	*"High-low meal substitute preferred by children"*
▪ More than 250 calories and less than 2g of protein ▪ More than 4g of saturated fat and less than 2g of protein ▪ More than 17g of sugars and less than 2g of protein ▪ More than 500 calories, 8g of saturated fat, or 34g of sugars	▪ More than 500 calories and less than 9g of protein ▪ More than 4g of saturated fat and less than 9g of protein ▪ More than 4g of saturated fat and more than 600mg of sodium ▪ More than 500 calories and more than 600mg of sodium ▪ More than 1,000 calories or more than 8g of saturated fat

Spain has adopted the PAOS Code (Publicidad, Actividad, Obesidad y Salud), which is a public health law aimed at protecting children over the age of 15 from the influence of unhealthy marketing. The code was first adopted in 2005 and revised in 2011 to align with the new European and Spanish public health law. The PAOS Code aims to control food advertising to protect children from seeing a significant number of unhealthy advertisements, with a specific aim of reducing rates of obesity. A study conducted by Campos et al. (2014) assessed the changes in television food advertising in Spain as of 2013 in comparison to 2007, which was after the implementation of the new laws. The study found that the current rules on M2K are insufficient to prevent unhealthy food marketing on television, and as a result, did not assist in the prevention of obesity. The authors suggested that the laws on M2K need to be strengthened to protect children from exposure to unhealthy ads, particularly with the increased amount of time that children spend online.

Recently, the Spanish government has been working on a new royal decree that aims to apply the Nutrient Profiling Model (NPM) as recommended by the WHO to regulate food advertising. Based on a model developed in Norway and Denmark, the WHO-NPM identifies 17 food

categories that have the potential to be targeted in efforts to regulate and manage marketing practices aimed at children. This classification aids in better understanding the scope and nature of foods and beverages that are subject to these regulatory considerations (WHO, 2016).

In 2015, the Slovenian Government accepted a new resolution on nutrition for health, which aimed to improve the health of the population by limiting the marketing of energy-dense foods to children (Rousset et al., 2015). The regulation applies only to audio-visual media communications like television advertising. The resolution did not specify a specific age limit for children. This means restriction will be for all children under the age of 18. The central goal of this resolution is to improve the health of the population by curbing the marketing of energy-dense foods to children. Energy-dense foods are foods that are high in calories with limited nutritional value (Elías Zambrano et al., 2021). After five years of this intervention, a study conducted by Sedej et al. (2014) found a significant reduction in cholesterol levels among school children. A more recent study by Lavrisa et al. (2020) evaluated the impact of the new Slovenian regulations on the restriction of television marketing of unhealthy foods during children's programs. The study found that the restrictions on food marketing during children's television programs had a positive effect in minimizing the exposure of children to unhealthy food marketing. The study suggests that limiting the exposure of children to unhealthy marketing could have a positive impact on their food choices and health outcomes. Overall, the Slovenian Government's resolution on nutrition for health and the subsequent restrictions on food marketing to children have had a positive impact on the health of Slovenian children by reducing their exposure to M2K. These findings highlight the importance of implementing similar regulations in other countries to protect children's health and promote healthy food choices (Lavrisa et al., 2020).

In Canada, the regulation of food and beverage marketing to children varies by jurisdiction (Kent & Pauzé, 2018; Pinto et al., 2020; Potvin Kent et al., 2012). Specifically, food marketing is largely self-regulated by industry across most of the country, except for Quebec, which has had statutory restrictions on commercial advertising to children since 1980 (Potvin Kent et al., 2014). Under *Quebec's Consumer Protection Act* (QCPA), all commercial advertising to children under 13 years is prohibited. More specifically, the advertising of any commercial goods designed for children under the age of 13, or appealing to this age-group, is banned in all media and child settings (Galbraith Emami & Lobstein, 2013). Quebec extends its ban on all forms of marketing beyond television. On television, specifically, advertising intended for children or that may appeal to children is banned when children consist of at least 15% of a program's viewing audience (Correa et al., 2019). The impact of the advertising ban in Quebec has had mixed impact. Two studies were conducted and found that children are still being exposed to considerable amounts of advertising irrespective of the advertising environment. For the policy to be effective, the authors recommend international agreements between countries, particularly given that internet regulations are not strict enough and thus online activities exposes children to significant amounts of marketing (Kent et al., 2013; Potvin Kent et al., 2012). On the other hand, Dhar and Baylis (2011) reported that the ban in place in Quebec is effective in lowering or moderating fast-food consumption. Additionally, the authors estimated the effects in fast-food expenditures per week to decrease by 13% which suggest that the social-welfare impact of such ban can be positive.

In the rest of Canada, food and beverage marketing to children is regulated under the following industry-led, voluntary codes: the *Broadcast Code to Advertising to Children* (hereinafter referred to as the "Children's Code") and the *Canadian Children's Food and*

Beverage Advertising Initiative (CAI) (Chaudhary, 2016; Linn, 2004). Both codes are administered and monitored by Ad Standards, a non-profit self-regulatory body comprised of advertisers, advertising agencies and media organizations. According to the Children's Code, commercial advertising may not exceed more than 4 minutes per half-hour of children's programming (or >8 minutes of advertising per hour of children's programming) and a commercial message may not be repeated during a half-hour of children's programing. The Children's Code refers to children's advertising as any paid commercial messages that are: (1) defined as being "child-directed" by the broadcaster and/or (2) carried during or adjacent to a children's program (which broadcasters have defined as targeted to children under 12 years old) (Elliot, 2020). The Children's Code explicitly states that commercial messages scheduled during school morning hours should be directed to adults, rather than children. Regarding food and beverage advertising, the Children's Code's Interpretation Guidelines require depictions of advertised foods to be within the context of a balanced meal, be a reasonable serving size for a child, and the snack foods must not be presented as a substitute for healthy meals. Finally, advertisements should not disparage a healthy lifestyle nor discourage the consumption of foods recommended by *Canada's Food Guide to Healthy Eating* (e.g., fruits or vegetables) (Pinto et al., 2020; Wilde, 2009).

In addition to the Children's Code, the CAI was launched by Advertising Standards Canada (now re-branded as Ad Standards) and is composed of 16 leading Canadian food and beverage corporations (Gaucher-Holm et al., 2022). As part of their initiative, these food and beverage companies have voluntarily pledged to either refrain from unhealthy food and beverage advertising to children under 12 years old entirely or advertise only "healthier" products that comply with the CAI's Uniform Nutrition Criteria (implemented in December 2015), on various

media channels (which includes television) (Gaucher-Holm et al., 2022). CAI-participating companies define children's advertising as commercial messages that are broadcast during television programs where children make up 25-35% of the viewing audience. To advertise "better-for-you" products to children, CAI-participating companies developed the Uniform Nutrition Criteria, in which they defined nutrient (e.g., sugar, fat, sodium, etc.) criteria and thresholds that constitute "better-for-you" (Hack et al., 2020; Hawkes, 2007; Hay & Global Burden of Disease 2015 Obesity Collaborators, 2017).

This comprehensive review revealed diverse approaches to regulating food and beverage M2K across countries, primarily categorized into three major systems: mandatory, voluntary, and coregulations.

2.5.3 Global impact of M2K policies: Insights from the Included Studies

Some policies have demonstrated reductions in the marketing of HFSS foods, while others have not shown any changes. Even within the same country, studies have been shown to have an inconsistent impact, and no single policy has been found to be ideal compared to others. Indeed, some research suggest that M2K remains high and has not declined much, if at all, in recent years, despite regulatory efforts (Adams et al., 2012; Potvin Kent et al., 2012; Prowse, 2017; Mediano et al., 2019; Whalen et al., 2019). However, other papers suggest that statutory regulations may be effective in limiting children's exposure to marketing (Campos et al., 2016; Dhar & Baylis, 2011; Carpentier et al., 2020; Jensen et al., 2021; Kim et al., 2013; Lavrisa et al., 2020; Otten et al., 2012).

Consider the following examples. In South Korea, an evaluation done by Kim et al. found a significant drop in the number of HFSS foods ads placed during the regulated children's prime time hours within only one year of policy implementation (Kim et al., 2013). In contrast, an

analysis done by Potvin Kent et al. (2012) comparing viewing diaries of English and French speaking children aged 10-12 years in Quebec (statutory regulation) and Ontario (voluntary regulations), found that regardless of the marketing policy environment, children in Ontario and Quebec are viewing significant amounts of food and beverage advertising overall. Another study done another research team concluded that regulations that cross national boundaries are needed to reduce marketing of HFSS food to children, and that such measures would positively change the environment in which children live and support parent trying to raise healthy children (Potvin Kent et al., 2013). In the UK, Adams et al. report that despite regulation, children are still exposed to more than before to television marketing for unhealthy food (Adams et al., 2012). Ofcome et al. (2008) concluded that the restrictions have served to significantly reduce the amount of HFSS marketing seen by children, and reduced the influence of techniques in HFSS marketing that are considered likely to be particularly attractive to children. Whalen et al. (2017) concluded that despite regulation, frequency and balance of food commercials remained relatively static over the 2 years and that children are still exposed to high amounts of unhealthy food marketing on television.

Indeed, the impact of M2K policies globally is mixed. In Slovenia, the results suggested that mandatory regulations can have a positive impact on M2K and help prevent diet-related harms in children, such as obesity. However, the impact on overall health outcomes is yet to be determined (Lavrisa et al., 2020). Lavrisa et al. (2020) also suggest that to be more efficient future regulatory interventions should carefully define the regulatory periods (extending it to 30 min before and after the children's programs). In the US, the ordinance appeared to have positively influenced restaurants to promote healthy meal items and discontinue the distribution of toys with unhealthy food items (Otten et al, 2012). In Chile, after the 2016 implementation,

53

exposure to marketing of HFSS foods decreased significantly but was not eliminated, expecting subsequent phases to eliminate the majority of children's exposure from television (Carpentier et al., 2019). Chile introduced a phased approach to regulate M2K on television. During the first phase, the law prohibited marketing of foods and beverages high in energy, saturated fats, sugars and/or sodium (HEFSS) and/or marketing that uses child-directed marketing appeals (e.g., animation, licensed characters) during programs either targeted to children or where >20% of the viewing audience consist of children. In 2017, the second phase of the law was implemented, which amended regulations to restrict all HEFSS food advertising aired on broadcast television between 6 a.m. and 10 p.m. daily, regardless of program age (Carpentier et al., 2022; Correa et al., 2019; Mediano et al., 2019). The third and final phase of the law was implemented in 2019, which tightened the nutrition thresholds further by decreasing sugar content threshold for advertised products from 22.5g of sugar/100g (2016) to 10g of sugar/100g (2019) (Correa et al., 2019; Madiano et al., 2019). The law restricts advertising directed to children under the age of 14. Studies show that the implementation of the law led to a significant reduction in M2K (Carpentier et al., 2022; Mediano et al., 2019).

It is clear that in countries where M2K is regulated, there exist diverse approached to its implementation, resulting in varying levels of impacts. This diversity is reflected not only in the methods employed by also in the outcomes achieved by these regulations. For instance, some countries specifically restrict M2K including but not limited to food. Additionally, some countries set the target child population as less than 18 years of age (e.g., Slovenia), while others use lower age cut-offs ranging from less than 12 years (e.g., US) to less than 15 years (e.g., Spain). Moreover, the type of foods and beverages covered by the regulations varies, as do the nutrition criteria used to identify which "unhealthy products" are subject to regulation.

Jurisdictions with regulations that apply to all commercial products do not use nutritional criteria, since marketing for all foods is restricted. Other countries use nutrient profiling instead. For instance, the UK uses a traffic light labelling system, which assigns a color-coded label to packaged foods to indicate their nutritional value. Slovenia uses a similar traffic light labelling system to indicate nutritional value (green indicating healthier choices, yellow indicating moderate choices, and red indicating less healthy choices). Chile uses a nutrition profiling system called the "Warning Seal" that assigns a black and white warning label to packaged foods that are high in calories, sugar, sodium, or saturated fats. Finally, in South Korea, the government has introduced a nutrition labeling system called "Guideline Daily Amount (GDA)" system, which provides information on the recommended daily intake of various nutrients such as calories, carbohydrates, and fats (Rayner et al., 2004). The GDA system used a traffic light system similar to the one in UK and Slovenia.

This shows that the impact of M2K policies across different countries is characterized by a mix of outcomes. Some policies have successfully reduced the marketing of HFSS foods, while others have not shown significant changes. Interestingly, even within the same country, studies have provided inconsistent results, demonstrating the varied impact of these regulations. No single policy has been universally deemed ideal compared to others, underscoring the complexity of the regulatory landscape. Some research suggests that despite regulatory efforts, M2K remains high and has not significantly declined (Adams et al., 2012; Potvin Kent et al., 2012; Prowse, 2017; Mediano et al., 2019; Whalen et al., 2019). On the other hand, certain papers indicate that statutory regulations can effectively limit children's exposure to marketing (Campos et al., 2016; Dhar & Baylis, 2011; Carpentier et al., 2019; Jensen et al., 2021; Kim et al., 2013; Lavrisa et al., 2020; Otten et al., 2012)

2.5.4 Exploring Diverse Outcome Measures

Various outcomes measures were identified across the different studies included in this analysis. These measures encompassed a range of factors related to M2K, providing insights into different aspects of the impact marketing can have and ways to measure exposure to marketing. It is also important to note that the studies reviewed also measured different things. For example, consider exposure. While the most commonly researched was exposure on television (n=17), studies also examined exposure and power on television (n=5), sales on packaging (n=1), power on websites (n=1), exposure on websites (n=1), exposure and power on websites (n=1), exposure and power on packaging (n=1), and exposure and power on television, online, outdoor, and printed, and prices (n=2). It is important to note that none of the included studies reported on critical outcomes such as food preferences or food choices. Additionally, none of the studies reported on significant outcomes such as product requests, obesity, diabetes, or other diet-related non-communicable disease and chronic conditions. It would be difficult to compare the results of these papers directly because all those outcomes may respond differently to the same regulatory intervention. Additionally, the studies used different criteria to define an outcome or measured the outcome in different ways, which makes it challenging to combine results or undertake a meaningful comparison.

Among the studies analyzed, most evaluations have either examined only short-term changes in exposure and/or power of television food marketing targeting youth or have consisted of cross-sectional comparisons between groups (with or without policy, before or after a policy, etc.). This analytical approach signifies that while the included studies provide important insights into the impact of food marketing policies on children's diets and health, they do not provide a comprehensive evaluation of the effectiveness of specific policy interventions. Rather, they offer

a more general understanding of how food marketing policies affect children's exposure to food marketing and related behaviours.

The included studies focused primarily on the prevalence and proportion of HFSS foods on television before and after the implementation of marketing regulations (n=22). Some studies also compared the levels of marketing between countries with and without restrictions. However, most of these studies analyzed child-directed marketing techniques on television only and did not consider digital marketing on websites, social media platforms, product packaging, or other marketing techniques. It is also important to note that none of the studies included in this review examined the impact of regulations on individual-level outcomes such as awareness, attitude, weight status, health outcomes, purchase behaviours, beliefs, or preferences. Therefore, the findings of these studies provide limited information about the overall impact of food marketing policies on children's diet and health. This lack of examination of individual-level outcomes is a significant limitation of the studies, as it is possible that marketing regulations may have effects beyond simply reducing children's exposure to unhealthy food marketing. For example, such regulations could potentially affect children's attitudes, perceptions and beliefs about healthy eating or influence their food choices and purchasing behaviours – and, importantly, may inform future behaviours as children age and become more responsible for food decisions, even if there is little to no impact during childhood.

2.6 Discussion

The landscape of current global practices related to M2K is illuminated by this comprehensive review. The following discussion will delve into the discourse surrounding current practices of M2K examining a spectrum of regulatory approached taken by countries, this review uncovered diverse strategies ranging from mandatory regulations to voluntary and co-

regulatory measures. While the impact of these strategies varies, the challenges associated with M2K regulation, as well as the limitations of current research, warrant closer examination. Through an exploration of regulatory methods, this discussion seeks to elucidate the complexities of M2K practices and their implications for children's health.

2.6.1 Current M2K Practices

This review provided a snapshot about the current global practices related to M2K. Included papers showed that countries have adopted different approaches to how they regulate. While more than half of the countries with regulations have adopted mandatory regulations, the remaining countries have opted for voluntary regulations or co-regulations for regulating M2K, with many relying on the food industry itself to implement, define and regulate M2K.

Some papers showed that, despite regulatory efforts, whether statutory or voluntary, exposure to M2K remains high and has not declined much, if at all, in recent years (Adams et al., 2012; Potvin Kent et al., 2012; Prowse, 2017; Mediano et al., 2019; Whalen et al., 2017). While some papers suggest that statutory regulations may be more effective in limiting children's exposure to marketing (Campos et al., 2014; Dhar & Baylis, 2011; Carpentier et al., 2019; Jensen et al., 2021; Kim et al., 2013; Lavrisa et al., 2020; Otten et al., 2012), the evidence from Canada makes it clear that interjurisdictional cooperation is necessary, as marketing from other jurisdictions can infiltrate audiences. This is especially the case with new marketing mediums that are more difficult to regulate, like the internet and social media (Harris et al., 2013). Challenges with monitoring and enforcement in statutory regimes further compound these difficulties (Hawkes, 2008). Establishing effective monitoring systems to ensure compliance with statutory regulations can be intricate, particularly due to the rapidly evolving nature of marketing techniques and platforms (Hawkes & WHO, 2017). The online realm, in particular,

presents significant challenges as content can easily cross geographical boundaries, posing

difficulties for regulators to control marketing directed at children (Potvin Kent et al., 2022).

This not only demands continuous adaptation of regulatory frameworks but also necessitates

international collaboration to address the cross-border nature of digital marketing. Moreover, the

effectiveness of statutory regulations can be hindered by varying interpretations, limited

resources, and inconsistent enforcement across different jurisdictions. These challenges

underscore the complexity of regulating M2K in an increasingly interconnected and

technologically dynamic landscape (Hooper, 2018; Potvin Kent et al., 2022).

  While voluntary policies have been utilised by different countries and there is a

commitment from some within the food industry to adhere to these voluntary guidelines, there

are several drawbacks to relying solely on voluntary regulation (Kunkel et al., 2015). One

significant issue with voluntary regulations is the lack of consistent compliance from companies

(Reeve et al., 2013). Without legal obligations or consequences for non-compliance, some

companies may choose to ignore or only partially adhere to the guidelines (Kunkel et al., 2015;

Reeve et al, 2018). This undermines the effectiveness of the regulations and allows continued

marketing practices that target children (Wilde, 2009). Additionally, voluntary regulation may

result in inconsistent practices across different companies – and possibly even within companies,

as they navigate jurisdictional issues (e.g., a company advertising in both Ontario and Quebec).

While some companies may adopt responsible marketing strategies, others may not, leading to

an uneven playing field (Billore et al., 2023). This can create an unfair advantage for companies

that choose to market unhealthy products to children undermining the overall goal of protecting

children's health. Voluntary regulations often fail to address the full scope of marketing practices

and may only focus on specific mediums or products (Franckle & Carrete, 2023). This limited

coverage allows "loopholes" and gaps that marketers can exploit to continue reaching children with unhealthy food and beverage advertisements through alternative channels (Harris, 2021). Finally, voluntary regulations are often developed in collaboration with the food and beverage industry, which may lead to conflicts of interest. Companies may prioritize their own business interest over public health concerns, resulting in weak and ineffective guidelines that do not adequately protect children from marketing (Billore, 2023). The reliance on companies to self-regulate can create a potential conflict of interest (Potvin Kent, 2011; Sharma et al, 2010; Sing et al, 2020). Businesses are naturally driven by profit motives, and this can influence their decisions when participating in the formulation of guidelines (Lim et al, 2017). In some cases, companies might seek to strike a balance between appearing socially responsible and preserving their commercial interests, which could result in guidelines that are watered down or favor industry preferences (King et al, 2011; Kjøllesdal et al, 2022). This tendency can manifest as lenient restrictions or loopholes that allow companies to continue marketing under the guide of adhering to voluntary guidelines (Kjøllesdal et al, 2022).

Although the findings from this study included in this review are not consistent, a growing body of literature supports the need for governmental regulations to ban M2K as a more effective way to protect children (Pinto, 2020; Wong, 2020). Such policies can help create environments that make healthy choices easier and create opportunities for achieving a healthy weight (Franckle & Carrete, 2023), as well as making other important contributions to reducing diet-related chronic diseases (Boyland, 2022). Mandatory regulations provide a stronger legal framework, ensure consistent compliance across all companies, and have the potential to cover a wider range of marketing practices and mediums (Boyland, 2022). Government regulations can also establish consequences for non-compliance, which increases accountability and promotes

adherence to the guidelines (Franckle & Carrete, 2023). For example, the effectiveness of the UK's experience in M2K showcases the importance of government intervention on the implementation of statutory regulations to effectively address the issue (Hawkes & Lobstein, 2011). Studies out of the UK have shown that these regulations have led to a reduction in the exposure of children to advertising of HFSS foods on television (Galbraith-Emami & Lobstein, 2013). There has also been changes in the food and advertising landscape, with companies reformulating products to meet healthier criteria and adjusting their marketing strategies to comply with the regulations. The regulations apply to broadcast media (television and radio) as well as non-broadcast media (online, print, cinema, etc.) (Lavriša et al., 2020). The UK employs a nutrient profiling model to determine which products are considered HFSS and subject to marketing restrictions (Kunkel et al., 2015). Additionally, UK uses a traffic light labelling system on packaged foods, where a color-coded label is assigned based on the product's nutritional value. Finally, the regulations prohibit the advertising of HFSS products during children's programming or during times when a significant number of children are likely to be watching (Lavriša et al., 2020). The UK's approach is not static, and there have been ongoing efforts to strengthen the regulations. The government has introduced new measures and proposal, such as a pre-9pm advertising ban on HFSS food products across all media platforms, including online and social media (Lagomarsino & Suggs, 2018).

2.6.2 Challenges in Evaluating Policy Effectiveness

Given the divergences between the studies, in terms of what they evaluated and how, it is difficult to draw comparisons of results from across the studies and to come to definitive conclusions about the effectiveness of the regulations being evaluated. This finding is consistent with a systematic review done by Galbraith-Emami and Lobstein (2013), who also indicated a

variation in their results regarding the effectiveness of different policies aimed at reducing M2K. Variation, in this context, refers to the differences or discrepancies that exist among the results and outcomes observed in different studies.

This variation can be related to the heterogeneity in study designs, inconsistency in definitions, and discrepancies in information. Heterogeneity in study design refers to the variation in the methodology and design of studies that are included in this review (Manyanga et al., 2017). This variation can include differences in the study population, intervention or exposure being studies, outcomes measured, and methods of data collection and analysis (Janssen et al., 2021). This can have a significant impact on the validity and generalizability of the results. This made comparison between studies difficult, including assessing the types of changes in marketing before or after policy implementation, differences between those countries that have mandatory regulations and those that have voluntary regulations, and type of media that the regulation intends to cover (e.g., television, internet, etc.) (Mehta et al., 2012). This is exemplified by the differences in effects reported by Potvin et al. studies which were all repeated cross-sectional survey designs (pre-post implementation) and reported potential *desirable effects* of the QCPA on children's food marketing exposure (Kent et al., 2013; Kent & Pauzé, 2018; Potvin Kent et al., 2014; Potvin Kent et al., 2012; Potvin Kent et al., 2011). On the other hand, Dhar and Baylis's cross-sectional survey comparing marketing activity between signatory and non-signatory companies of the QCPA reported *undesirable effect* of the policy on exposure (Mulligan et al., 2021). Additionally, all the included studies did not report on significant outcomes related to product requests, obesity, diabetes, or other diet-related non-communicable diseases and chronic conditions. These critical outcomes provide valuable insights on the broader impact of food marketing on individuals health and well-being, but they were not addresses in

the reviewed studies. Future research should strive to address these gaps in order to provide a more comprehensive understanding of the effects of food marketing on individual's behaviours and health outcomes.

Another variation between studies can be the result of inconsistency in definition. For example, the studies reviewed have different definitions of what the aims of food marketing should be, what constitutes healthy and unhealthy (e.g., high in HFSS, energy dense verses nutrient poor, etc.), audience definitions (e.g., over 35% verses over 50%), age of children (e.g., under 12 years, 14 years, etc.), and nutrient profiling definitions. These inconsistencies can explain the variations between studies (Lawenstein, 2011; Rosenbaum et al., 2010; Raine et al., 2013).

For example, Adams et al. (2012), Whalen et al. (2019), and Ofcome et al. (2008), all evaluated the effectiveness of the UK government's television food marketing policy on exposure outcomes, but they reported different effects. The evaluation conducted by Ofcome et al. (2008), primarily focused on assessing change in marketing "directed" to children. On the other hand, Whalen et al. (2019) and Adams et al. (2012) argued that the objective of the regulation should be to reduce children's "overall" exposure to food marketing, regardless of whether it directly targets them. As a result, their evaluations considered changes in marketing across all commercial channels, irrespective of meeting specific threshold for child viewership. Additionally, these studies reported different perspectives on the potential effects of the policy. For example, Whalen et al. (2019) reported unclear effects potentially favoring the policy intervention similar to Ofcome's evaluations (Ofcome et al, 2008). In contrast, Adams et al. (2012) reported no significant effect, noting that while the policy successfully excluded HFSS food marketing from the specific broadcast slots, it did not effectively achieve its stated aim to

significantly reduce the exposure of children under 16 to HFSS marketing. This was due to the migration of HFSS food marketing to adult airtime, which remained easily accessible to children.

The studies included in this analysis have shown limited awareness of the utilization of social networking sites, smartphone apps, and downloadable advert-games. Additionally, they have overlooked the phenomenon of cross branding healthier food and beverage products with non-food items, which share unhealthy food-related brans identities. Marketing within school and other child-friendly settings has also been inadequately explored by these studies. The emergence of new media channels, which can directly access children, further complicate the issue, and raises concerns about the nature of regulation needed to control children's exposure to marketing (Neuhauser et al., 2022). Therefore, it would be beneficial for future studies evaluating the effectiveness of a policy at reducing exposure to unhealthy food marketing to consider study designs and sampling that assess changes in children exposure to food marketing that falls within and outside of the scope of the policy. This comprehensive approach would provide a more holistic understanding of the policy's impact. Also, researchers should consider examining different medium and other marketing avenues beyond television, as marketing strategies have diversified across various platforms.

Finally, discrepancy in information is another challenge faced when comparing different studies, which can make it difficult to compare findings and draw meaningful conclusion. This refers to the variation in the effect and outcomes measures used by different studies (Sheth & Sisodia, 2012). For example, studies may use different measures such as the number of food advertisements, rate of food advertisements, the proportion of all advertisements that were for food, the proportion of food advertisements that were for unhealthy food products, the proportion of all advertisements that were for unhealthy good products, nutritional quality of foods

advertised, child "impacts" (referring to the influence on children's behaviours, attitudes, preferences, etc.), and percentage change in one or more of these effects measures over time (Sheth & Sisodia, 2012). Each type of measure has strengths and weaknesses in relation to others, which can affect the conclusions drawn. For example, the concept of "unhealthy food" is defined differently across studies including core/non-core (e.g., Whalen et al), energy dense, nutrient poor (e.g., Kim et al), high in (e.g., Carpentier et al), and HFSS (e.g., Ofcom). Studies may focus on different aspects of food marketing, such as power, exposure, or both, with uncertainty about how these effects can be measured. For instance, "five impacts" could be interpreted in two ways: either as five individual children each seeing the same single marketing instance once, or as a single child viewing the marketing instance five times (Carpentier et al., 2020). Each interpretation holds different implications for the resulting behavioural outcomes. Even though exposure and power are related concepts, they represent different measures in the context of studying the effects of food marketing. The level of exposure to food marketing can influence the power of marketing by increasing the likelihood of its persuasive impact. In other words, individuals who are highly exposed to food marketing may be more susceptible to their persuasive influence, potentially leading to changes in attitudes, preferences, and behaviour (Carpentier et al., 2020; Potvin Kent et al., 2014; Rachel, 2017).

In light of this, it would have been beneficial if studies reported on critical outcomes such as changes in food preferences or food choices as well. Of course, this adds more potential for variance, depending how these concepts are defined and measured. Additionally, most evaluations have either examined only short-term changes in exposure and/or power of television food marketing targeting youth or have consisted of cross-sectional comparisons between groups (with or without policy, before or after a policy, etc.). This means that while the included studies

provide important insights into the impact of food marketing policies on children's diets and health, they do not provide a comprehensive evaluation of the effectiveness of specific policy interventions. Rather, they offer a more general understanding of how food marketing policies affect children's exposure to food marketing and related behaviours. This is important to note because it highlights the need for more rigorous and comprehensive evaluation of food marketing policies, particularly those aimed at promoting healthy diets and reducing children's exposure to unhealthy food marketing. Such research can produce critical evidence to support policy development and implementation and help to improve children's diets and health.

Overall, results from this study suggest that while some policies may be effective in reducing M2K, there is no one-size-fits-all solution, and different approaches may be necessary depending on the context and specific goals of the policy. Therefore, policy makers and public health professionals must consider a range of factors when designing M2K policies to ensure their effectiveness and success. These factors include defining the age range of children sought for protection, specifying how marketing to this age group is defined, identifying which media are to be restricted, determining the forms of marketing that should be restricted, and agreeing on how to classify specific foods and beverages to be restricted. These factors are crucial if a government aims to implement and enforce a comprehensive mandatory policy that aligns with the recommendations set by WHO and that will be effective in protecting children.

2.6.3 Strengths and Limitations

This work updates and builds upon the existing literature on M2K by providing a systemic evidence review about current M2K practices. However, there are several important limitations with the evidence reviewed. Some of these limitations are discussed above (e.g., the diverge in approaches, differing definitions, etc.). But there are some critical limitations. Most

notably, there is a lack of studies from low and middle-income countries, few studies that are longitudinal or study the long-term outcomes of M2K policies, and many detail on policies (design, implementation, enforcement, etc.) are not discussed or evaluated. Further, there was little assessment across multiple media or other forms of marketing, communication media covered (online verses television), and there was considerable variation in the definition of children (i.e., age), the food and beverage products covered, definitions of what constituted child-directed marketing, differing statistical analyses used, and heterogeneity in study design and effect measure. More specifically, many of the studies included in the review focused primarily on a single medium, such as television, while other forms of marketing were not thoroughly examined (Hooper, 2018; Potvin Kent et al., 2014; Sing et al., 2020). For instance, the impact of marketing through social media, smartphone apps, downloadable games, and other digital platforms received limited attention. This leaves a gap in our understanding of the full scope of marketing strategies targeting children. Also, different studies used different age ranges to define "children". Some studies have considered children to be under 12 years old, while others used higher age threshold. This discrepancy in defining the target age group could lead to varying interpretations of how marketing impact different age cohorts. Furthermore, the studies often varied in term of types of food and beverage products that were included in their analysis. Some studies might have HFSS foods, while others might have assessed a broader range of products. This variation can impact the consistency and comparability of findings. Also, the criteria for identifying marketing content that is specifically directed at children were not consistent across studies. This lack of uniformity in identifying child-directed marketing makes it challenging to draw clear conclusions about the extent of children's exposure to such content. Moreover, different studies employed diverse statistical methodologies to analyze the data

(descriptive statistics, Chi-Square Test, Regression Analysis etc..), which can lead to variations in the results and their interpretations (Shen et al., 2022). The choice of statistical analysis can influence significance and magnitude of the reported effects, adding complexity to the process of comparing and synthesizing findings. Finally, the studies varied in terms of their research design, including cross-sectional surveys, longitudinal studies, and other methods. Moreover, the specific measured used to assess the effects of marketing, such as changes in exposure rates or shifts in behaviour outcomes, were not standardized. This diversity in study design and effects measured can make it challenging to directly compare and combine the results.

Consequently, it was challenging to establish a cause-and-effect relationship, particularly given that all included studies were observational studies and because of the many variations identified above. Observational studies are more susceptible to confounding factors (Shen et al., 2022). These factors can include pre-existing differences between the groups being studies, or other contextual factors like social, economic, or political conditions, which can influence the observed outcomes (Rosenbaum et al., 2010). While these observational studies provide valuable information on the potential effects of regulations, it is essential to recognize that they do not establish a direct causal relationship (Rosenbaum et al., 2010). Therefore, the results should be interpreted with caution, and other factors that could influence the outcomes should also be considered.

Additionally, the studies did not report on significant outcomes related to product requests, obesity, diabetes, or other diet-related non-communicable diseases and chronic conditions. These critical outcomes provide valuable insights about the broader impact of food marketing on individuals health and well-being (Shen et al., 2022). Future research should strive

to address these gaps in order to provide a more comprehensive understanding of the effects of food marketing on individual's behaviours and health outcomes.

Most of the papers evaluated food marketing policies in high-income countries, defined as countries with a relatively high standard of living, advanced infrastructure, and strong economies, resulting in a high gross national incomes (GNI) per capita (WHO & World Bank, 2023), namely Canada (n=9), the US (n=4), the UK (n=3), Australia (n=4), New Zealand (n=2), Germany (n=2), Spain (n=1) Slovenia (n=1), and Chile (n=3). One study was conducted in a middle-income country (e.g., South Korea). This geographic distribution of studies may have several implications. Firstly, it suggests that food marketing policies in high-income countries have received greater attention from researchers than policies in low-income or middle-income countries. This may be due to several factors, including the availability of resources and data, the higher prevalence of diet-related health issues in high-income countries, and the greater interest and support for public health interventions in these countries. Secondly, it is essential to recognize that the results of studies conducted in high-incomes countries may not necessarily be generalizable to low-income or middle-income countries. These countries may have different food environment, cultural and social norms, and levels of economic development. Therefore, more research is needed in diverse setting to understand the potential impact of food marketing policies across different populations and contexts. Finally, the fact that only one study was conducted in a middle-income country (i.e., South Korea) highlights the need for more research on food marketing policies in middle-income countries. These countries may have unique challenges and opportunities when it comes to regulating M2K, and it is important to understand these factors to develop effective policies and interventions. Overall, the geographic distribution of the studies suggests that more research is needed to understand the impact of M2K in diverse

settings and populations. By doing so, we can develop effective policies and interventions that can improve public health outcomes globally.

2.7 Conclusion

The impact on M2K has drawn international attention, with numerous jurisdictions implementing some form of regulation on M2K practices (Shen et al., 2022). This review evaluated the current M2K policies, specifically focusing on countries with restrictions on M2K of food products. In addition to evaluating what exists, this review aimed to shed light on these measures. Results showed a variation in the evidence regarding the implementation and effectiveness of the different policies identified. Mandatory regulation emerged as a more effective strategy in curbing exposure to M2K, as evidenced by various studies highlighting its capacity to yield greater reductions in such marketing while also addressing the limitations of voluntary and self-regulations. However, many factors were identified as crucial if a government aims to implement and enforce a comprehensive mandatory policy that aligns with their own identified goals or that align with the recommendations set out by the WHO. These factors include the age range of children sought for protection, specifying how marketing to this age group is defined, identifying which media are to be restricted, determining which forms of marketing are restricted, and agreeing on how to classify specific foods and beverages to be restricted.

With the above discussion acting as a foundation for the remainder of this thesis, the following chapters will further investigate M2K policy in Canada, including the policy process environment. More specifically, Chapter 3 will go in depth and describe the policy process of Bill S-228, which represents a significant development for regulating M2K in Canada. Following

this, Chapter 4 will explore why Bill S-228 was unsuccessful, drawing from interviews with key informants involved in M2K and Bill S-228.

Chapter 3 - Policy Process of Bill S-228: A Case Study

Childhood obesity represent a globally acknowledged public health crisis with significant implications for children's well-being and future prospects (Choi et al., 2021). Childhood obesity is identified as a substantial risk factor for various non-communicable diseases, including type 2 diabetes, hypertension, coronary artery disease, obstructive sleep apnea, and certain cancers. These adverse effects are compounded when their onset occurs prematurely (Salama et al., 2023;

Paquette et al., 2022; Norman et al., 2016). Children are increasingly being diagnosed with type 2 diabetes alongside overweight and obesity, highlighting the urgency of addressing this issue (Gupta & Sachdev, 2022). According to the World Obesity Foundation, if current trends persist, over 10 million adults in Canada will be obese by 2025 (Moya, 2023).

The World Health Organization's Commission on ending childhood obesity has unequivocally demonstrated that the marketing to kids (M2K) detrimentally affects childhood obesity (WHO, 2018). The report underscored the necessity of reducing children's exposure to marketing as a key aspect of any comprehensive safety to tackle childhood obesity (WHO, 2019). Across the globe, food marketing to children is pervasive, and the vast majority of products most heavily marketed to children are foods high in added saturated fat and/or trans-fat, sugar, or sodium (HFSS) (Taillie et al., 2019).

Although numerous countries have embraced voluntary policies made by the industry to regulate their marketing practices, the persistence of unhealthy food advertisements targeting children remains rampant, the data clearly demonstrated that despite the voluntary commitments (Russell et al., 2019). The self-regulation framework, due to its inherent reliance on voluntary compliance from advertisers, have proven to be ineffective at protecting children from marketing (Russell et al., 2019). The limitations of current marketing practices have led to multiple calls from a wide range of stakeholder groups including researcher, health advocacy groups, and the public for stronger government intervention and mandatory regulations to protect children from the harmful effects of M2K (Chung et al., 2012). The Stop Marketing to Kids coalition led by Heart & Stroke and the Childhood Obesity Foundation along with ten steering committee member organisations have united to build awareness and call for action about the effects of food and beverage marketing to children in Canada (Potvin Kent et al., 2022). These organisations

include Alberta Policy Coalition for Chronic Disease Prevention, BC Alliance for Healthy Living, Canadian Cancer Society, Canadian Dental Association, Chronic Disease Prevention Alliance of Canada, Diabetes Canada, Food Secure Canada, Quebec Coalition on Weight-Related Problems (Potvin Kent et al., 2022). This call for action was also endorsed by over 120 national and international organizations and notable health experts as well (WHO, 2018). Mandatory regulation emerged as a more effective strategy in curbing exposure to M2K, as evidenced in the previous study, highlighting its capacity to yield greater reductions in such marketing while also addressing the limitations of voluntary and self-regulations.

More recently, Prime Minister Trudeau identified children's marketing restrictions as a public health priority for Canada in his Mandate Letter to the Minister of Health following his first election in 2015 (Trudeau, 2021). Specifically, he tasked the Minister of Health Jane Philpott with introducing "new restrictions on the commercial marketing of unhealthy food and beverages to children, similar to those now in Quebec" (Trudeau, 2021, p.3). In public health parlance, Prime Minister Trudeau's call opened a children's marketing "policy window" (Potvin et al., 2012). A policy window refers to a relatively short period of time during which political conditions, public opinions, and external events align to create an opportunity for a specific policy issue to gain attention, be discussed, and potentially be adopted or implemented by policymakers (Zahariadis, 2019). Ultimately, this resulted in a proposal in 2016, championed by Senator Nancy Green Raine, to modify the *Food and Drugs Act* to impose federally mandated restrictions on the marketing of HFSS foods to children under the age of 13, known as the *Bill S-228: Child Health Protection Act* (Bill S-228) (Government of Canada, 2015). Bill S-228 sought to amend the *Food and Drugs Act* by prohibiting unhealthy food and beverage marketed directed primarily at children under 13 years old, across all potential marketing media channels and child

directed settings in Canada (Government of Canada, 2015). In 2017, the bill was thoroughly

debated, reviewed, and passed by the Senate. It was then amended and passed the House of

Commons in September 2018 before being sent back to the Senate for its final vote to become a

law. However, despite support, it never made it past the third reading in the Senate and thus

failed to pass. The policy window, it seems, closed. The failure of Bill S-228 sparked much

debate and speculation about the reasons behind its failure (Campbell & Raine, 2019; Mulligan

et al., 2020; Potvin Kent et al., 2022).

This second study of this thesis (chapter 3) aimed to investigate the policy change process

of Bill S-228 using two major policy change theories: Advocacy Coalition Theory (ACT)

(Sabatier & Jenkins-Smith, 1993) and Multiple Stream Theory (MST) (Kingdon, 1995). More

specifically this study aims to answer the following research questions: *What contributed to the*

failure of Bill S-228? Specifically, this question will explore what prevented Bill S-228 from

passing a third reading in the Senate, despite passing initially? What enabling and limiting

factors in the decision-making process contributed to this?

3.1 Policy Process Theories

In research, a theory can be viewed as a tool used to guide the investigation of a

particular phenomenon or topic (Zahariadis, 2019). The term theory refers to a set of

interconnected concepts, assumptions, principles, and propositions that are used to explain a

particular phenomenon (Zahariadis, 2019). Theories aim to provide a framework for

understanding the relationships among various concepts related to the phenomenon being studied

(Zahariadis, 2019). The concepts within a theory are related to each other in specific relational

forms such as principles, hypothesis, and propositions (Kingdon, 1995; Sabatier & Jenkins-

Smith, 1993; Zahariadis, 2019). These relational forms aim to specify a limited set of

associations among concepts based on what we know about the phenomenon being studied. The goal of these relational forms is to help researchers make sense of complex systems by identifying the relationships between the key variables (Zahariadis, 2019). It is important to note that the set of associations among concepts that is identified by a theory is only a limited subset of the much larger and complex set of associations that exist within the phenomenon being studies (Sandberg & Alvesson, 2021). Therefore, theories are not definitive or all-encompassing but rather provide a framework for understanding and explaining a particular phenomenon or topic within a certain scope of inquiry (Sandberg & Alvesson, 2021).

Concepts and theories are studied because it is well recognized that there are many different answers to the same questions. Therefore, comparing many perspectives and insights from different theories can result in a more generalizable explanation to a given question (Cairns et al., 2013; Sandberg & Alvesson, 2021). While the study of policy processes emerged as a field of research back in the 1950s, the actual work of understanding and exploring policy change using the theories of policy change remains challenging. Challenges include trying to define basic terms like policy, policymakers, policy success, and policy failure (Cairns et al., 2013). For example, it is not realistic to expect politicians, government, interest groups, citizens, scholars, and others to all agree on what determines when a particular policy is successful (Cairns et al., 2013). Is a success to enact a policy, or does success require that the policy achieve its aims – and if so, to what extent? To overcome the many challenges in studying policy change, political science theories have been developed to help guide researchers as they evaluate a specific policy or policy process. Without the insight of these theories, it is more tempting to make incorrect assumptions (Cairns et al., 2013).

The two theories used in this chapter –ACT and MST – were selected based on the results of a recent narrative literature review conducted as part of a comprehensive exam, which identified the value of each theory and recommended employing multiple theoretical perspectives in policy analysis (Jawhar et al., 2021). The aim of the narrative literature review was to identify the most commonly used theories used to evaluate policy change in public health. The review revealed many policy theories, including ACT (Sabatier & Jenkins Smith, 1993), MST (Kingdon, 1995), Policy Transfer Theory (PTT; Dolowitz et al., 1999), Punctuated Equilibrium Theory (PET; Jones et al., 1993), Institutional Analysis and Development Framework (IAD; Ostrom, 2009), and Narrative Policy Framework (NPF; Jones & McBeth, 2010) (Figure 3). All of these theories bring different levels of understanding to the process of policy change (Craig, 2012; Herweg et al., 2019; Weible, 2023). Although they are applied differently and have different aims, they nevertheless have common themes, ask similar questions and identify similar causal processes. In terms of common themes, they all emphasize the importance of the role of ideas, policy subsystems, dominant individual(s) or group(s), power, and external factors in affecting policy change. All these theories seek to explain the relationship and sources of stability and instability (Van der Heijden et al., 2021). Collective, they have been cited in different publications, and, having been applied to different settings, have proved valuable for understanding why policy did or did not change (Van der Heijden et al., 2021). However, as asserted by several political science scholars, theories in general are limited as they are designed to focus attention on only some aspects of the policy process while ignoring others (Bandelow, 2019; Cairney, 2014; Weible, 2014). Therefore, choosing one theory to investigate policy change does not offer full understanding of the policy process; rather, it is of

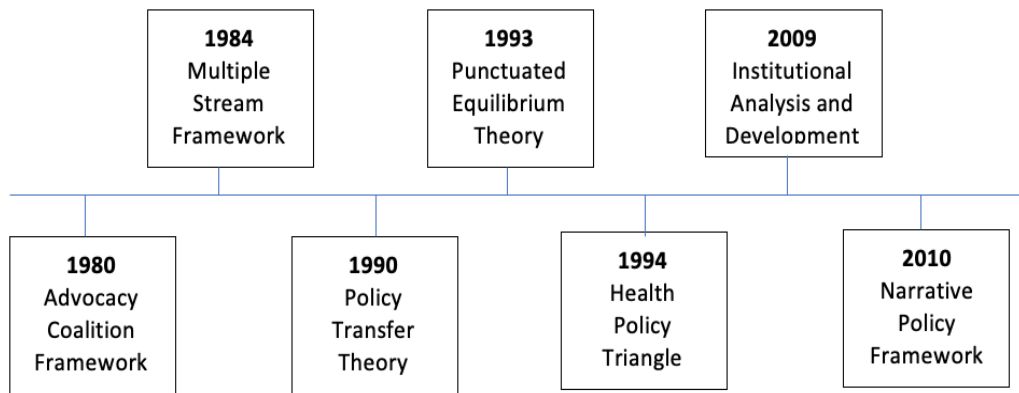value to engage with multiple theoretical perspectives to gain a fuller understanding of the policy process.

Figure 3. Timeline of the most commonly used theories in health policies (Bandelow, 2019; Cairney, 2015; Weible, 2011)

3.1.1 Advocacy Coalition Theory (ACT)

The ACT was created in the early 1980s by Paul Sabatier and Hank Jenkins Smith (Sabatier & Jenkins-Smith, 1993). Chief inspirations for the development of this theory came from the authors' experiences with shortcomings in policy process research as the authors recognized that there were problems, gaps, or constraints within the existing approaches to study policy process, particularly in relation to the stages heuristic. They saw a need to address these deficiencies and create a new theory that could overcome the limitations of the traditional approaches, leading to the development of the ACT (Sabatier & Jenkins-Smith, 1993). The ACT has become one of the most utilized theories of the policy process around the world (Weible, 2023). ACT describes policy change through a series of mechanisms (not mutually exclusive): relatively stable parameters (e.g., basic constitution structure), external events (e.g., changes in public opinion), long term coalition opportunity structures (e.g., openness of the political system), short term constraints and resources and policy subsystem characterised by different coalitions, and policy subsystem (e.g., health policy) characterized by different coalitions with

shared beliefs (Figure 5) (Cisneros, 2021). ACT emphasizes the importance of policy actors'

beliefs in shaping policy change, identifying three belief systems: deep core beliefs, which are

the most stable, like human rights; policy core beliefs, which are relatively stable, like a health

policy's goal to reduce obesity; and, secondary beliefs, which are the least stable (Weible et al.,

2011). The ACT also seeks to explain how coalitions form in subsystems, how policy learning

happens, and how minor policy change result from learning. According to ACT, major policy

change can result from various factors, both external and internal. For example, external factors

like crises can affect public opinion towards or away from a policy subsystem, leading to

significant changes. On the other hand, internal events such as policy fiascos, scandals, and

failures can also drive major policy changes. These changes are often controlled by dominant

coalitions who influence government problems (Sabatier & Jenkins-Smith, 1993).
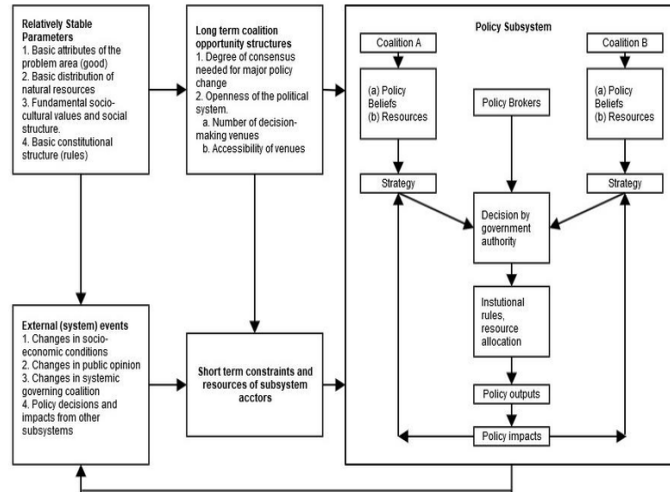
Figure 4. The Advocacy Coalition Framework Diagram (Sabatier & Weible, 2007)

ACT also assumes that one of the major sources of policy change occurs in a policy

subsystem. A policy subsystem is a policy area that is geographically bounded and encompasses

policy participants from all levels of government, research institutions, media, among others

(Howlett & Mukherjee, 2017). The policy subsystem is the central unit for understanding policy

processes. Within the subsystem, policy participants coordinate their behaviour with allies in advocacy coalitions to influence policy (Ngquangashe et al., 2022). The second source of major policy change, according to ACT, occurs as part of external events that are important because they often shift public attention (and thus resources) toward or away from a policy subsystem (Pierce et al., 2017). For example, the COVID-19 pandemic led to major policy changes in public health policies in Canada (Pierce et al., 2017). Minor policy change, on the other hand, happens through policy learning, which is incremental and happens over longer periods of time (Howlett & Mukherjee, 2017). Policy learning is defined as "enduring alternations of thoughts or behavioural intentions that result from experience and which are concerned with the attainment or revision of the precepts of the belief system of individuals or of collectives" (Jenkins-Smith & Sabatier, 1994, p.14). ACT also highlights the importance of relatively stable parameters, which are policy factors that are stable over long periods of time (more than 100 years) and are resistant to change. These parameters are important because they define and structure the nature of any given problem, which broadly frames the values that inform policymaking decisions. An example of a relatively stable parameter would be the *Charter of Rights and Freedoms (Charter of Rights and Freedom, 1982)*, which has been a defining feature of Canadian policymaking for more than 40 years (Jenkins-Smith & Sabatier, 1994). Finally, ACT assumes that individuals are limited by bounded rationality. Bounded rationality refers to the idea that human beings have cognitive limitations and are unable to process and analyze all available information and consider all possible alternatives when making decisions. Instead, individuals tend to rely on simplified mental models, heuristics, and rule of thumb to navigate complex environment and make choices (Howlett & Mukherjee, 2017; Ngquangashe et al., 2022; Pierce et al., 2017).

3.1.2 Multiple Stream Theory (MST)

The MST was developed by John Kingdon in 1984 and is the most cited and most quoted approach to policy studies (Jones et al., 2016). In their review, Jones et al. (2016) reported that 22 policy areas have been explored using MST, with health, environment, education, and welfare representing almost 80 percent of MST applications analyzed. MST has also been employed to explain policy processes in different political systems, including the United States, Australia, Germany, Italy, India, Iran, China, Canada, and Belgium (Béland & Howlett, 2016). The reasons for the high number of MST applications could be that the conditions under which policies are made increasingly resemble the theory's basic assumptions like ambiguity, time constraints, and stream independence (Zahariadis, 2019). To be more specific, MST assumes that because of ambiguity, a multitude of solutions to a given problem exists. Ambiguity refers to "a state of having many ways of thinking about the same circumstances" (Feldman, 1989, p.5). The assumption of time constraints means that policymakers operate under significant time constraints and often do not have the luxury of time when making a decision. Finally, MST assumes that independent processes or streams flow through the political system (Bandelow et al., 2019).

As its name implies, MST describes three streams as part of the policy process: the problem stream, policy stream, and politics stream (Clarke et al., 2018). In the realm of policy development, there exist a complex interplay of problem, policy, and politics streams that collectively shape the agenda-setting process (Shulman, 2009). The problem stream encapsulated policy issues framed to demand attention, devoid of specific indicators driving their emergence. Central to this process are policy entrepreneurs, pivotal actors who assume the role of drawing attention to these issues (Clarke et al., 2018). Concurrently, the policy stream comprises proposed ideas and solutions from various actors, distinct from the problem stream due to their

potential to address a range of different issues. These proposed solutions exhibit a fluidity in their ascent and descent on the agenda, often subject to rapid shifts. However, their maturation into fully-fledged policies demands a considerable investment of time and effort (Béland & Howlett, 2016). The politics stream, on the other hand, encompasses the receptiveness of policymakers to specific solutions within a particular timeframe. Notably, heightened attention and receptivity within the politics stream often precede alterations in the political landscape (Dolan et al., 2021). These shifts can encompass factors such as elections, prevailing national sentiment, public opinion dynamics, changes in administration, and the influence exerted by interest groups (Tanaka et al., 2020). It is within the confluence of these three streams that the dynamics of agenda setting are orchestrated, with the interplay between problem recognition, policy formulation, and political circumstances shaping the trajectory of policy issues from obscurity to prominence on the policy agenda (Clarke et al., 2018; Dolan et al., 2021) (see Table 7).

Table 7. The Multiple Streams Analysis (three independent streams) (Kingdon, 1995)

Problem stream	Problems are policy issues that are framed to require attention. There are no specific indicators that push a problem on the agenda. Policy entrepreneurs play an important role in rising attention to problems.
Policy stream	Policies are idea/solutions proposed by actors. They should be considered as "independent" of the problem stream because solutions can address different problems, usually fall, and rise on the agenda quickly, and take much more time to develop.
Politics stream	Politics is how receptive policymakers are to certain solutions at a specific time. Rising attention and receptivity are often followed by changes in the political system. These include elections, national mood, public opinion, changes of administration, pressure from interest group, etc.

According to MST, policy change happens when two or three separate streams come together at the same time during a "policy window" that has already opened, known as coupling (Van der Heijden et al., 2019). Coupling means that there is a good match between a problem and a policy and, simultaneously, there is also strong political support to solve the problem in

hand (Herweg et al., 2019). The window of opportunity for major policy changes opens for a short period of time to influence the policy agenda. Joining the three streams requires policy entrepreneurs who are constantly at work on pointing attention to problems or policies (Howlett & Mukherjee, 2017). For example, a crisis may elevate a policy problem to the top of the agenda requiring immediate attention, a new existing solution could also make that specific problem solvable (worthy of more attention) or a change in government could open avenues of influence for policy entrepreneurs to put a problem on the agenda. Then, if the two or three streams come together, through coupling, each factor acts as an impetus to policy change (Dolan et al., 2021) (see Figure 5).
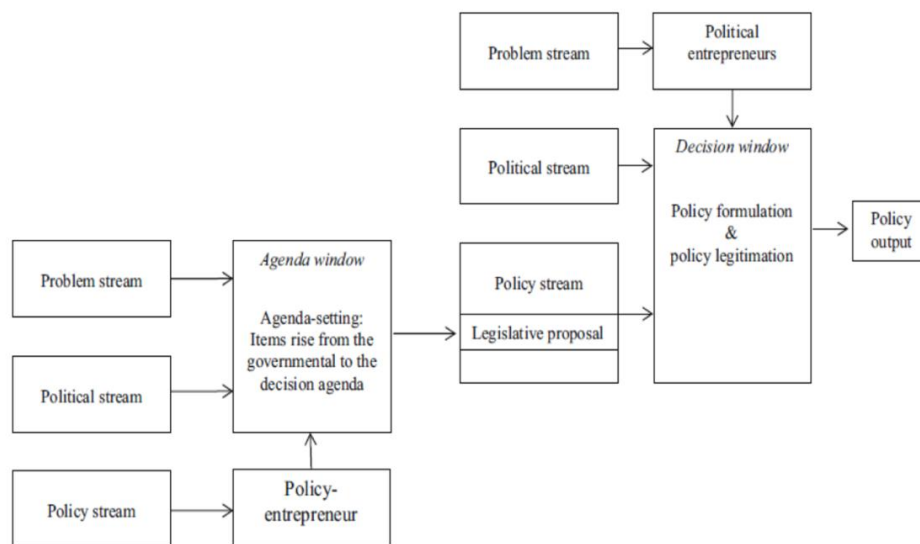
Figure 5. Multiple Stream Theory Diagram (Herweg et al., 2019, p.445).

3.2 Methodology

A single embedded case study approach was used following a *deductive* thematic analysis (Braun & Clarke, 2021; Yin, 2009). By concentrating on a single case – here, Bill S-228 – this approach will help gain a profound and comprehensive understanding of the Bill (Yin, 2009). Additionally, a single embedded case study approach is better suited for research that requires

deep understanding within a specific context (e.g., Bill S-228), exploration of complex

phenomena, theory development, and the capture of unique or rate cases. Its focus on depth,

context, and holistic exploration makes it a valuable choice in these scenarios compared to other

research approached that prioritise breadth, generalizability, or cross-case comparisons

(Strugnell et al., 2016). As described by Hsieh and Shannon (2005), deductive analysis uses a

previously established coding framework to explain the phenomenon of focus. This methodology

lends well to the objectives of this study given that it aims to describe the policy processes

related to Bill S-228 using predefined ACT and MST concepts. The coding framework utilized

for this study was developed by Clarke et al. (2021), who also employed a case study approach

to evaluate the policy process of the Australian state government initiative, *Healthy Together*

Victoria (HTV; Strugnell et al., 2016), which aimed to deliver a multi-level, multi-setting,

complex system approach to obesity prevention, using ACT and MST (Clarke et al., 2021). This

methodology promotes consistency and reproducibility in the coding process, which is important

for comparison of findings across different studies (Yin, 2019). The following sections will

identify the specific methods for the deductive thematic analysis to collect and analyze data to

answer the proposed research questions.

3.2.1 Sample and Data Collection

This part of the study did not require ethics approval from Western University's Non-

Medical Research Ethics Board (NMREB), as it used information that is publicly accessible, as

per the Tri-Council Policy Statement (Article 2.2). A systematic online search (using "Bill S-

228" as the primary search term) were undertaken of relevant databases: Google Scholar and

LegisInfo using "Bill S-228" as primary search term (to collect academic articles and reports by

parliament and its committees) and for relevant media reports using the Factiva database (an

online database containing extensive content from news media). The choice of these databases was confirmed after consulting a librarian, as they consistently provided the most pertinent data. Documents included were those that were publicly available, published between 2016 and 2022, and relevant to Bill S-228. Documents collected included reports or papers from: academic articles that discuss Bill S-228 (n=26), government agencies on the impact of unhealthy food/ Bill S-228 on public health (n=31), advocacy organisations that talk about the restrictions on marketing unhealthy food to children (n=18), news articles that cover the debates and discussion around the Bill S-228 (n=109), and reports by parliament and its committees on the development of the Bill S-228 (n=38). All data collection was conducted by one researcher and stored chronologically in electronic folders. Appendix C shows how data was organized via Microsoft Excel. Media was stored chronologically in electronic folders to build a timeline of key events and processes that contributed to the development of the Bill S-228.

3.3.2 Data Analysis

A systematic review of each source of data involved a process of analyzing the data for key constructs of the selected theories (i.e., ACT and MST). This approach allowed for a focused examination of how the data related to the specific concepts and components of these theories. By systematically reviewing the data for these key constructs, this aims to derive insights and conclusions that are grounded in the theories and supported by the empirical evidence collected from the various sources. This process also facilitated a transparent and replicable analysis, enhancing the credibility and dependability of the research findings. The qualitative data collected was managed using NVivo 12 software for coding the data into themes and subthemes for analysis. This study employed a *deductive* coding approach following the steps described by Braun & Clarke (2006) to conduct thematic analysis, while also relying on assistance from the

coding framework developed by Clarke et al. (2021). The predefined codes from the framework helped to direct attention to specific aspects of the data that were relevant to policy process of Bill S-228. This approached also allowed for a more focused and targeted exploration of the data, reducing the risk of overlooking important themes or insights. This enhanced the validity and reliability of the study's finding by ensuring that the analysis is grounded in existing theory and knowledge, aligning with established concepts and constructs. This minimizes the risk of subjective interpretation or bias, increasing the accuracy and credibility of findings. Moreover, drawing on an established coding framework meant benefiting from the expertise and insights of previous researchers, contributing to a more thorough and insightful analysis (Walther et al., 2013). The coding framework utilized for this study was developed by Clarke et al. (2021), who also employed a case study approach to evaluate a policy using ACT and MST. The framework was used over multiple stages, beginning with the identification of initial codes to capture important concepts, themes, or patterns. From there, a more structured coding scheme was developed, grouping related codes into categories that captured the essence of the data and developing a theoretical framework to explain data. The coding framework used is included in Appendix A. Next, a *thematic* content analysis was applied to code all passages of text using the predetermined codes (Vears & Gillam, 2022).

3.3 Findings

A total of 134 papers were collected and analyzed across all the databases, resulting in 2,092 codes. Of these 2,092 codes, 1,248 codes focused on stable parameters, 364 codes focused on system events, 296 codes focused on beliefs held by coalitions, and 184 codes were a mixture of policy change mechanisms (n=5), policy community (n=19), policy stream (n=49), problem stream (n=17), politics stream (n=37), evidence (n=28), framing (n=5), policy brokers and

entreprecurs (n=2), bounded rationality (n=16), and policy window (n=6) as described in both MST and ACT and as reflected in the coding framework utilized. Breaking down the main codes into sub-categories, as demonstrated in the coding framework, allowed for a more comprehensive exploration of the data, enabling the identification of connections, variations, and interactions within and between themes (Ngulube, 2015). This is important as it enhances the study's transparency and replicability (Daengbuppha et al., 2006; Ngulube, 2015).

All the codes are defined in detail in Appendix A along with other definitions of other terms included in ACT and MST (Clarke et al., 2021). For example, stable parameters refer to aspects of the policy environment that remain relatively constant and enduring over time, such as the distribution of power or the availability of resources. Stable parameters help provide a baseline understanding of the policy context. External events refer to external factors that may influence the policy process, such as changes in the economic, social, or political environment. External events can create new opportunities or constraints for policy change. Coalition beliefs refer to the beliefs, values, and assumptions of the coalitions involved in the policy process. Coalitions are groups of actors who share common interests and work together to influence policy outcomes. Bounded rationality suggests that decision-makers do not always have access to complete information, and their choices may be constrained by time, cognitive capacity, and other factors. Policy system code refers to the larger institutional and organizational context in which the policy process takes place. The policy system includes the formal and informal rules, norms, and practices that guide policy making. The policy stream code refers to the broader political context in which policymaking takes place, including distribution of power, the role of interest groups, and the dynamics of electoral politics. The problem stream code refers to how policymakers and other actors frame and define policy problems. The problem stream includes

the salience of different issues, the framing of problems in terms of causes and consequences, and the ways in which different actors prioritize policy issues. Finally, the policy window code refers to moments of opportunity when policy change is more likely to occur. Policy windows may open due to changes in the political or economic context, shifts in public opinion, or the emergence of new ideas and coalitions (Clarke et al., 2021).

Stable Parameter

In the context of Bill S-228, stable parameters highlighted fundamental attributes of the problem that remained relatively consistent over time and played a crucial role in facilitating the policy's advancement and support (Clarke et al., 2021). Those stable parameters included the extensive evidence demonstrating the negative effects of M2K, agreement that M2K is a public health concern, treatment costs of marketing-related diseases being an undue burden on the universally accessible and publicly funded provincial health care system, and that government intervention with mandatory regulations is necessary. This stability provided a foundation for the policy's advancement and support (Clarke et al., 2021).

System Events

System events constituted of external factors that exerted influence on the trajectory of policy development and implementation. These factors included various dynamics that can impact the policy process, including shifts in public opinion, changes in systemic governing coalitions, and political impacts and considerations (Clarke et al., 2021). First, system events related to changes in public opinion held considerable significance in the context of Bill S-228 as it involved shifts in attitudes and beliefs among various stakeholders, including parent, educators, civil society representatives, and scientific experts. Public opinion dynamics has also

evolved over time, as influenced by new information, media coverage, advocacy efforts, and broader societal trends. For instance, all the scientific research highlighting the negative health consequences of M2K gained prominence, which have led to changes in public attitudes which in turn have shifted attention towards supporting regulatory measures like those proposed in Bill S-228.

Additionally, the debate surrounding the inclusion or exclusion of adolescents (ages 13-17 years) within the scope of food advertising restrictions significantly contributed to the complexity and delayed progress of the policy process. Adolescents exhibit distinctive characteristics, including impulsivity, risk-taking behaviours, anxieties, and exaggerated emotional reactivity compared to adulthood (Casey et al. 2010). These traits create vulnerabilities that marketers often capitalize on by crafting advertising appeals tailored to adolescent developmental concerns (Casey et al., 2010). However, concern also arose about the right of individuals when including adolescents as part of the restrictions. Quebec's experience with advertising to children and the Charter of Right and Freedoms provides a compelling example of the complex interplay between policy decisions, legal considerations, and societal values. In the 1980s, Quebec's government sought to address concerns about the impact of advertising on children's well-being by introducing restrictions on commercial advertising targeting children under the age of 13 (White, 2012). This move was motivated by the belief that children were especially susceptible to persuasive advertising and that their rights to a health childhood were at stake. The restriction we established under QCPA, but they faced legal challenged based on freedom of expression and commercial speech rights guaranteed by the Canadian Charter of Rights and Freedoms (Cohen, 2010).

Alterations in governing coalitions constitute another key system event that has exerted substantial influence on the policy process. When there is a change in the composition of political power, such as the replacement of one coalition with another or a significant recalibration in the balance of power, policy priorities and directions shift accordingly (Clarke et al., 2021). For instance, a coalition that supports M2K regulations may adopt policies like Bill S-228, whereas a different coalition less aligned with such regulations may prioritize other policy goals. The interplay between coalition shifts and policy outcomes is exemplified in the case of Bill S-228, where the introduction by a Conservative Senator within a Liberal government framework contributed to complex political dynamics influencing the policy's trajectory and obtaining votes.

System events pertaining to political impacts and considerations held particular weight in shaping the policy environment for Bill S-228. These events encompass the effects of political decisions, strategies, and maneuvers on the policy's progression (Sabatier & Weible, 2019). Factors such as political party in power, the position of key decision-makers, and the alignment of policy priorities can profoundly influence the fate of the proposed policy (Sabatier & Weible, 2019). For instance, the policy's introduction within the context of a Liberal government by Prime Minister Trudeau, who included M2K regulations in his mandate letter, contrasted with the eventual introduction by a Conservative Senator. This interplay of political dynamics highlights how policy outcomes can be affected by both the positioning of the policy within the political landscape and the subsequent interactions among political actors.

Policy Subsystems

In the context of Bill S-228, policy subsystems represent distinct components of the broader policy landscape that intersect and interact to shape the development and implementation

of policies. These subsystems include domains such as healthcare, education, and other related areas that contribute to the policy environment. The decisions and impacts arising from these subsystems can significantly influence the trajectory of policies, including Bill S-228, as they bring their own priorities, agendas, and mechanisms into the policy discourse. Policy decisions and impacts originating from subsystems like health care and education hold notable relevance in the context of Bill S-228. For example, the healthcare system's approaches to tackling health concerns, including those related to diet and nutrition, can intersect with policies like Bill S-228 that aim to address marketing's influence on children's dietary choices. Similarly, the education system's effort to promote healthy habits and awareness of nutrition can align with the objectives of M2K regulations.

Subsystem impacts are exemplified by the regulatory focus and energy directed towards specific policy aspects within the broader policy landscape (Sabatier & Weible, 2019). In the case of Bill S-228, the regulatory attention given to front-of-package labeling requirements provides a notable illustration. These labeling requirements, operating within the broader Healthy Eating Strategy, constitute another policy priority addressing nutritional information disclosure to consumers. The regulatory efforts and attention invested in front-of-package labeling shifted some focus away from Bill S-228, as resources and policy discussions were also directed towards this related subsystem. This dynamic illustrates how multiple policy priorities within various subsystems can interact and influence one another, shaping the overall policy context. This serves as a reminder that policies do not operate in isolation; rather, they interact and influence one another, with potential implications for resource allocation, stakeholder engagement, and overall policy impact.

Coalition Beliefs (Pro-policy)

According to ACT, coalitions need to share similar beliefs (core, policy, and/or secondary) and resources. Core beliefs are "in regard to an actor's underlying personal philosophy" (Sabatier, 1993, p.30). Policy beliefs "are normative/empirical beliefs that span an entire policy subsystem" (Weible & Sabatier, 2007, p.127). Secondary beliefs relate to policy preferences regarding a subcomponent of a policy subsystem (Weible & Sabatier, 2007). In the context of Bill S-228, core beliefs embraced by coalitions supportive of the policy revolve around safeguarding children's well-being, recognizing the essential role of government intervention in protecting public health, and holding corporations accountable for safeguarding children from the adverse effects of marketing practices. Policy beliefs include an understanding that M2K is a public health concern. Additionally, there was the recognition that industry self-regulation proves insufficient in addressing the challenges posed by M2K. Furthermore, secondary beliefs could include a preference for specific marketing regulations, such as restricting the use of cartoon characters in food marketing, or a preference for specific enforcement mechanisms, such as fines for non-compliance. Overall, coalitions that supported Bill S-228's policy development and adoption shared similar core, policy, and secondary beliefs. These beliefs provided a common foundation for collaboration and helped to build momentum for the policy's adoption.

Coalitions Beliefs (Anti-policy)

There were also coalitions that opposed Bill S-288, and they had a variety of concerns and reasons for their opposition to the bill. Some opponents may believe that the government should not interfere with the free market and that business should be allowed to market their products as they see fit without government regulations. Opponents argued that the bill will have negative impacts on businesses, such as decreased sales and revenues, increased costs of

compliance, or job losses. For examples, they argued that the bill will disproportionately affect small business, which may not have the resources to comply with the new regulations. Opponents also argue that the bill is unnecessary or ineffective in achieving its stated goals (Acuff, 2010). For example, they may argue that the evidence linking M2K with negative health outcomes is weak or inconclusive, or that other policies or initiatives would be more effective in promoting health eating habits among children. Finally, concerns over unintended consequences, such as limiting consumer choice or access to certain products or encouraging children to seek out unhealthy food in other ways, were identified as concerns. For example, opponents argue that restrictions on M2K would give rise to online marketing or that may increase the consumption of unregulated products marketed towards children. For example, the Dairy Farmers of Canada argued that Bill S-228 would negatively impact the Canadian diary industry by limiting the promotion of certain products (Acuff, 2010; Truman & Elliott, 2019). Similarly, the Canadian Meat Council expressed concerns about the potential negative impacts on the meat industry if similar marketing restrictions were implemented (Truman & Elliott, 2019).

Example of a recurrent codes related to the common beliefs showed in data as anti- Bill S-228 included: *"Grain farmers and the bread industry in general will be specifically and negatively impacted by advertising restrictions in Bill S-228."*

Bounded Rationality

According to MST and ACT, bounded rationality is acknowledging the idea that "individuals have computational and cognitive limitations. Therefore, attention and search processes are neither costless not complete" (Zahariadis, 2019, p.157). Both theories highlight that individuals have cognitive limitation and thus cannot focus on multiple problem at one time. In the context of Bill S-228, it suggests that stakeholders involved in the policy-making process

may not be able to fully comprehend or analyze all aspects of the proposed legislation, due to cognitive limitations such as limited attention and search processes. The release of the *Healthy Eating Strategy* in 2016, which opened a policy window for Bill S-228, which was introduced in the September of 2016, may have also contributed to bounded rationality among stakeholders. This is because the strategy included multiple policy initiatives that may have diverted attention and resources away from Bill S-228. For examples, stakeholders who were focused on advocating for changes to *Canada's Food Guide to Healthy Eating* or for regulations concerning front of package labelling. This initiative, while important, may have diverted the limited cognitive resources available to fully engage with the details of Bill S-228. Figure 6 outlines some of policy events that were happening around the same times as Bill S-228 which may have shifted attention and effort away from the bill. Other policy developments that may have taken focus away from Bill S-228 include the *Canada's Food Guide to Healthy Eating*, new front-of-pack nutrition labelling, ban on industry-produced partially hydrogenated oils, update of voluntary sodium reduction targets, Nutrition North Canada, and federal elections (Gaucher-Holm et al., 2022; Mulligan et al., 2021).
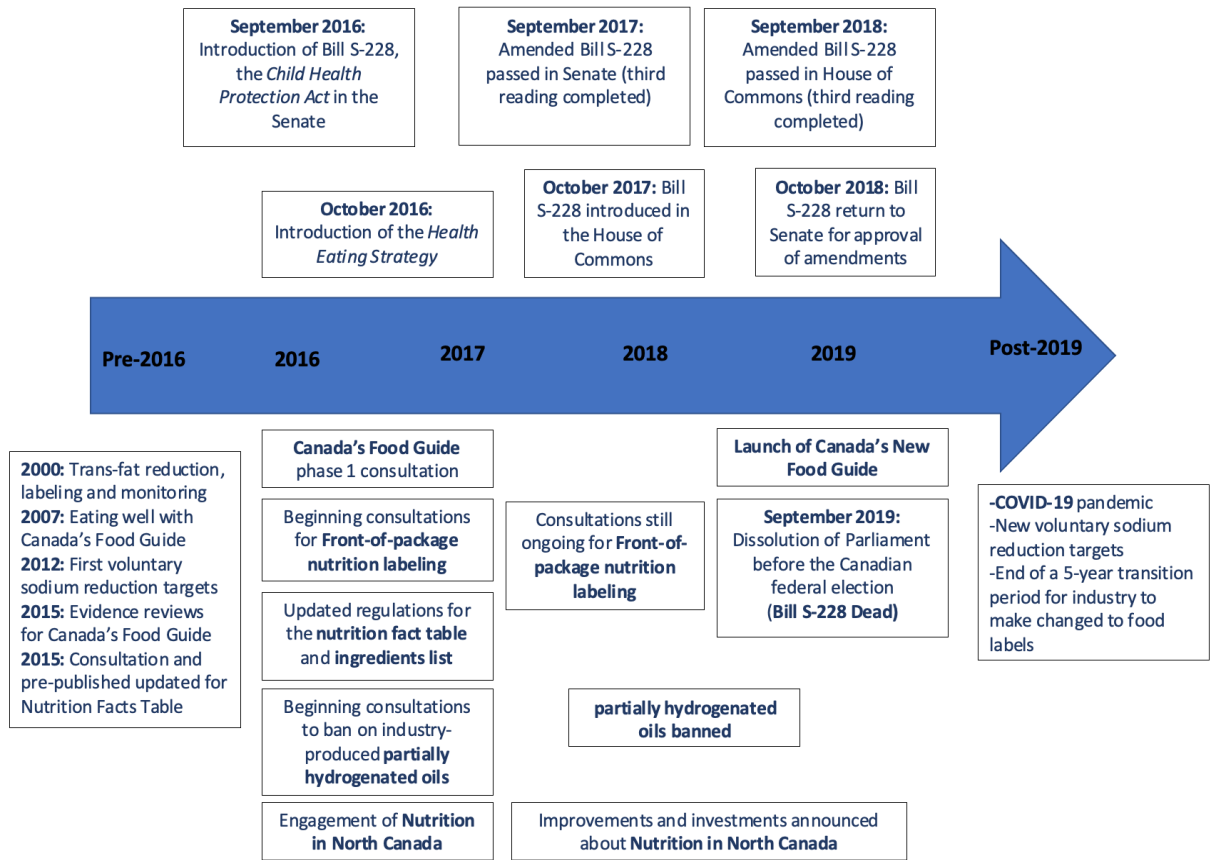
Figure 6. Timeline of policy events for Bill S-228 and health Canada's related regulations (Gaucher-Holm et al., 2022; Mulligan et al., 2021).

Policy Stream

The MST provided valuable insights into the policy development process, highlighting

the role of the policy stream and its various component in shaping potential solutions to

identified problems (Kingdon, 1995). The policy stream, as a crucial aspect of MST,

encompasses ideas, issue framing, and policy community, each playing a distinctive role in

influencing the formulation of policies like Bill S-228 (Kingdon, 1995). For example, one

notable idea put forward was the requirement for companies to disclose the amount of added

sugar in their products. This idea aimed to empower consumers with information to make

informed food choices. The idea gained traction through the efforts of policy advocates, experts,

and networks. These advocated championed the concept and collaborated to garner support from policymakers and the public, leveraging strategies such as media outreach and lobbying. Ultimately, this idea was successfully incorporated into Bill S-228, illustrating the pivotal role of ideas and policy communities in shaping the policy agenda and fostering policy change.

According to MST, issue framing or problem representation makes a difference in what people perceive as losses or gains and their propensity to support policy change (Kingdon, 1995). The way an issue is framed can have a significant impact on how people perceive it and their willingness to support policy change (Kingdon, 1995). In the case of Bill S-228, the issue of M2K was framed in different ways. For example, it was framed as a public health crisis that is contributing to rising rates of childhood obesity and other diet-related health problems. Evidence was always presented to show how children are exposed to a constant barrage of unhealthy food and beverage marketing, which can influence their food preferences and consumption habits. Alternatively, the issue was framed as being a corporate responsibility and the need for companies to do their part in promoting healthier eating habits. On the other hand, some evidence was presented to show how some companies have already taken steps to reduce their M2K or promote healthier products, emphasizing that voluntary regulations are enough. The way the issue is framed can influence how people perceive it and their willingness to support policy change. Evidence suggests that when the impact of M2K on children's health and the need for government intervention to protect children from harmful marketing practices is the dominant framing that M2K regulations are more likely to be supported by the public.

Policy communities, which included "bureaucrats, congressional staff members, academics, and researchers, play a key role in shaping the debate around the issue of M2K and influencing the development of the legislation. Bureaucrats in government agencies responsible

for health and nutrition policy may be involved in drafting the legislation and implementing

regulations to enforce it (Zahariadis, 2019). Ministerial staff members may play a role in

advocating for the Bill and working to gain support from lawmakers (Zahariadis, 2019).

Academics and researchers in think tanks, health organizations or NGOs may provide evidence

to support the need for the legislation and contribute to the development of policy proposals

(Zahariadis, 2019). Together, these different policy communities shape the debate around a bill

and can influence its trajectory from proposal to law. By working together, they can ensure that

the legislation is evidence-based, effective, and well-targeted to address the issue of M2K and

promote healthier eating habits.

Politics Stream

Political considerations played a pivotal role in the decision-making process of Bill S-

228. The decision-making process was influenced by various factors, including the contrasting

perspectives on M2K, potential economic implications, and the overall political landscape. One

of the key political considerations was the conflict between regulating M2K and the interest of

the food and beverage industry players, leading to potential economic consequences such as

impacting local business, economic growth, and potential loss of industry support funding for

sports. This dichotomy necessitates a careful evaluation of how the legislation might balance

between addressing public health concerns and safeguarding industry interests. Many political

staff were highly conscious of potential risk factors, including concerns about the impact on local

businesses, the potential for decreased economic growth, and the possibility of losing political

support or funding from industry groups. Despite the potential risks associated with Bill S-228,

the national sentiment regarding M2K was divided into two distinct viewpoints. Advocates for

Bill S-228 strongly supported the legislation, asserting that curbing unhealthy food M2K was

crucial to combat the rising childhood obesity and related health issues. They saw Bill S-228 as essential for safeguarding Canadian children's health and promoting healthier eating habits. On the opposition side, industry groups opposed the legislation, citing potential negative impacts on local businesses and economic growth. They argued that parents should primarily oversee children's dietary choices, and government intervention in food decisions might impinge on personal freedoms and hinder economic progress. This range of perspective within the national sentiment underscored the intricate interplay of public health priorities, economic considerations, and societal values in shaping the policy discourse and decision-making surrounding M2K regulations.

Overall, the differing ideas and perspectives surrounding the issue of M2K may have influenced the decision-making process around Bill S-228. Politicians and their staff may have weighed the potential risks and benefits of supporting the legislation, taking into account their own political ideology and the opinions of their constituents. The potential for negative political fallout may have been a significant consideration, but ultimately, the decision to support or oppose the bill may have depended on a variety of factors.

Problem Stream

Problem definition and problem recognition were identified by policy actors as difficult to achieve because policy acknowledged the complexity of problem definition highlighting those various challenges contributed to the difficult prioritization of nutrition policy discussions. This is because nutrition is a complex issue that encompasses many different factors, making it difficult to define and address the problem in a comprehensive and effective way. For example, nutrition may be influenced by factors such as income, education, cultural norms, food availability and accessibility, among other issues (Pierce et al., 2017). Another reason identified

by policy actors may be that the severity of the problem of nutrition may be seen as less urgent or pressing relative to other issues. This can make it challenging to build political will and support for addressing the issue, particularly in the face of competing priorities and limited resources. Finally, policy actors may have struggled to identify a simple and straightforward solution to the problem of nutrition. Unlike some other policy issues, there may be no single or straightforward policy intervention that can effectively address the issue of nutrition. Instead, a comprehensive and multifaced approach may be needed, which can be challenging to implement and coordinate. These challenges in problem definition and problem recognition may have influenced the level of support for Bill S-228.

Policy Window

The concept of a policy window plays a crucial role in understanding the dynamics of public policy development and implementation. A policy window refers to a period of opportunity during which specific issues gain prominence on the policy agenda and decisions are more likely to be made (Zahariadis, 2019). In the case of Bill S-228, negotiated agreements represent instances where opposing coalitions find common ground in shaping public policy. "This theme was evident on multiple occasions during the development and implementation of Bill S-228 (Zahariadis, 2019). One example of a negotiated agreement was the collaboration between the public health advocates and the food and beverage industry. These two groups had historically been at odds with each other, with public health advocates pushing for stricter regulations on food M2K, and the food and beverage industry resisting these efforts to protect their profits. However, during the development of Bill S-228, the two sides were not able to compromise and negotiate a set of guidelines.

3.4 Discussion

Building upon the insights derived from the preceding Chapter 2 and drawing upon established and well recognized policy process theories (i.e., ACT and MST), this chapter aimed to explore the policymaking process surrounding Bill S-228 and identify the factors that contributed to its failure. Trudeau has call for prohibiting food advertising targeted to children under 13 years old using similar regulations to *Quebec's Consumer Protection Act* (QCPA) (Trudeau, 2021). In particular, food advertising that would have been prohibited, by Bill S-228, were any advertisements that used appeals designed for children under 13 years old, was broadcast during intended programs (i.e., programs rated C), and where children comprised 15% or more of the viewing audience (Pinto et al., 2020). Overall, findings illustrated the need for a cohesive and comprehensive food marketing policy across Canada. Although, Canada is a member state committed to adopting the WHO's recommendations on the M2K, the existing voluntary industry led, self-regulations fail to meet the WHO's outlined recommendations (WHO, 2018). For example, Canada's self-regulatory initiatives do not use government as the key stakeholder in policy development (WHO recommendation #6) also current regulations do not have objective compliance monitoring system (WHO recommendation # 10). Not to mention that current practices proved to fail at protecting our children. To this end, statutory regulation which restrict all M2K in various media and child-setting across Canada is needed (WHO, 2018).

This body of work reinforced the need to modify proposed restrictions in the failed bill. One important modification should be an agreement on the age limit restriction as to whether adolescent should be included or not. Furthermore, the issue of determining which types of foods should be covered by these restrictions is equally important. Extending the scope of restriction to various platforms and media types is another area that requires comprehensive attention. Given the evolving landscape of advertising, where digital and online platforms play an increasingly dominant role in reaching young audiences, it is imperative to establish guidelines that encompass a wide range of communication channels (Lee & Cho, 2020). This includes addressing challenged related to social media, online games, mobile apps, and other emerging technologies. Which foods to be included. And to also extend to various platforms and media types. Finally, identifying how the monitoring of such bill will happen will prove as important. Lastly, the implementation and monitoring of such bill are of paramount importance. Establishing a clear mechanism for oversight, reporting and compliance is essential to ensure that the intended effects of the policy are being realised. Effective monitoring requires collaboration among regulatory bodies, industry stakeholders, and public health adjustments based on data. This calls for a robust framework that can adapt to the evolving advertising landscape and respond to emerging concerns.

The ACT and MST helped illuminated other policy system characteristics that were important factors impacting the development of Bill S-228. including stable parameters and systems events, coalition influences, policy window, entrepreneurs and environment including policy stream, politics stream, and problem stream.

3.4.1 Stable Parameters and System Events:

According to ACT, stable parameters are factors that remain relatively constant over time and are often outside of the control of policymakers. Whereas system events are discrete occurrences that can have a significant impact on policy success by disrupting stable parameters and creating new challenges or opportunities. Policymakers must be aware of these factors and be prepared to adapt their policies accordingly to achieve success (Sabatier & Jenkins-Smith, 1993). For Bill S-228, evidence and industry lobbying were the two most recurrent themes. The availability and quality of evidence can affect the political climate by shaping public perceptions and attitudes towards a particular issue (Cullerton et al., 2016). Additionally, evidence-based research can also prompt policymakers to rethink their policies, as new evidence emerges that challenges the assumptions underlying current polices (Bogenschneider & Corbett, 2021). In the case of Bill S-228, there was extensive available evidence that demonstrated the negative impact of M2K, but surprisingly the evidence was not necessarily enough to drive the adoption of Bill S-228 (Adams et al., 2009; Bacon et al., 2019; Bhawra et al., 2018). This might be because there was no direct or indirect evidence that tested the effectiveness of the Bill itself, as opposed to the effect of M2K. Studying the potential impact of a proposed bill requires a multidisciplinary approach that incorporates different methods and perspectives, such as conducting pilot studies, using scenario planning, and conducting cost-benefit analysis.

While evidence-based policy making is crucial in providing a solid foundation for informed decision-making, it is not the only factor that drives policy change. Several other factors come into play, and policymakers must consider a wide range of elements to effectively bring about policy changes. Factors include political consideration, economic considerations, priority, and timing among others (Cairney & Oliver, 2017). Policymaking exists within a political context, where decisions are often influenced by the dynamics of power, party

affiliations, and public sentiment. Political ideologies, party platforms, and the interest of

stakeholders can sway policy directions, sometimes irrespective of the strength of evidence.

Policymakers may need to balance evidence-based recommendations with political feasibility

and alignment to ensure policies receive support and withstand political. Also, financial

implications, budget constraints, and potential economic impacts must be taken into account as

resources are limited. Prioritization becomes essential. This is further exemplified by the failure

of Bill S-228 despite having extensive evidence supporting the negative side effects of M2K.

Industry lobbying can significantly impact policy success by influencing the

development, implementation, and evaluation of policies (Potvin Kent et al., 2012; Qutteina et

al., 2019). Industry can affect policy success in many ways, including shaping the policy agendas

(raising awareness of specific issues and promoting certain policies over others), altering policy

content (advocating and using their resources for changes or amendments to policies that align

with their interest), impeding policy implementation (pressuring policymakers to delay or

weaken implementation), and/or influencing policy evaluation (advocating for certain metrics or

outcomes to be used to evaluate policies). The food industry has a long history of effective

lobbying in Canada and other countries (Kent et al., 2022; Mulligan et al., 2018; Ngqangashe et

al., 2022). For instance, a study done by Van de Heijden et al. (2021) describing the interactions

between Health Canada and industry and non-industry stakeholders highlighted that a total of

208 interactions occurred between 2016 to 2018. Of the interactions, 56% were industry

interaction. Mulligan et al. (2021) reported that the disparity in interactions with government

among stakeholders was even greater for Bill S-228. This demonstrates industries' active

engagement in policy-related discussions. During consultations with Health Canada, there was

significant resistance to Bill S-228, industry asserted that their implementation of voluntary

regulations was sufficient as an intervention. Additionally, they argued that the enactment of Bill S-228 will have adverse economic repercussion not only for their sector but for the nations' economy as a whole. Finally, industries highlight the issue of obesity as a central individual issue that could be addressed by increasing physical activity. This finding was consistent with other research in literature stating that industries often exert significant influence on policymakers to shape legislation that aligns with their interest. Their lobbying efforts may focus on diluting or weakening proposed regulations (Gaucher-Holm et al., 2022; Hawkes, 2007; Van de Klaauv & Farooqi, 2015).

3.4.2 Coalition Influences:

Coalition influence is a type of political influence that occurs when two or more interest groups or organizations work together to achieve a common policy goal (Jenkins-Smith et al., 2018). The aim of coalition influence is to leverage the collective resources, expertise, and influence of multiple organizations to increase the likelihood of policy success (Jenkins-Smith et al., 2018). Coalition influence can influence policy making in several ways like amplifying voices (to increase visibility and help draw attention to their policy goals), pooling resources (such as funding, research, and expertise), building consensus (organizations to work together to develop shared policy agenda), and leveraging influence (engaging in direct lobbying, conducting media campaigns, or mobilizing grassroots support) (Jones et al., 2016; Pierce et al., 2017). However, the success of coalition influence depends on several factors like the strength of the coalition, the nature of the policy issue, and the political environment in which the coalition is operating (Kiani et al., 2018).

The Stop Marketing to Kids Coalition was one of the prominent coalitions that supported Bill S-228. This coalition is led by Heart & Stroke and the Childhood Obesity Foundation and 10

additional committee member organizations: Alberta Policy Coalition for Chronic Disease

Prevention, BC Alliance for Healthy Living, Canadian Cancer Society, Canadian Dental

Association, Chronic Disease Prevention Alliance of Canada, Diabetes Canada, Dietitians of

Canada, Food Secure Canada, Toronto Public Health, and Quebec Coalition on Weight-Related

Problems. Other coalition include Quebec Public Health Association, Canadian Public Health

Association, Diabetes Canada, and Food Secure Canada. Table 9 summarizes the list of all the

coalitions, groups, and individuals identified to be supportive of Bill S-228.

Table 8. List of National, Provincial and Local Organisations and Enterprises Supporting Bill S-228

• Action Against Hunger Canada • Alberta Food Matters • Alberta Policy Coalition for Chronic Disease Prevention • Bow Valley Food Alliance • Brian and Joannah Lawson Family Foundation • Childhood Obesity Foundation • Réseau canadien pour la promotion et le changement des comportements de santé • Canadian Nutrition Society • Canadian Cancer Society • Coalition for Health School Food • Coalition Québécoise sur la problématique du poids • Community Food Centers Canada • Community Harvest Kingston • Diabetes Canada • Dietitians of Canada • Ecology Action Centre • Health Canada (Senator Nancy Green Reine) • Abundance GTA • Andrea Curtis, Writer • Stop Marketing to kids Coalition. • National Farmers Union • Nourish Nova Scotia	• Food Policy Council for Kingston, Frontenac and Lennox-Addington • Food Secure Saskatchewan Network • Foodshare Toronto • George Brown College • Gloucester Emergency Food Cupboard • Greater Sudbury Food Policy Council • Headwaters Food and Farming Alliance • Heart & Stroke • Incredible Edible Okanagan • Loving Spoonful • McGrows Farms and Garden • Meal Exchange • Mobile Food Market • Canadian Network for Health Behaviour Change and Promotion • Tasty Nuts • The New Farm • The Stop Community Food Centre • Toronto Food Policy Council • Toronto Public Health • York Region Health • York Region Food Network • Young Agrarian

• Organic Food Council of Manitoba • Public Schools Branch, Stratford • Real Food for Real Kids • Susanne Langlois Fine Art • Edible Education Network, Sustain Ontario	• Scholars (like Bill Jeffrey, Kim Raine and Mary L'Abbé, and Monique Potvin-Kent) • Canadian Dental Association • Chronic Disease Prevention Alliance of Canada • Food Secure Canada • Heart & Stroke

Despite the many supporters and coalition influence for Bill S-228, the coalitions were not able to exert sufficient influence on decision makers. The finding contrasts with one of the few previous chronic disease prevention policy studies that have drawn on MST and ACF to find that group and network integration play a crucial role in affecting government structures for policy influence (Brown, 2020; Elliot & Scime, 2019; Wong et al., 2020). There are several reasons why coalitions may not be successful in achieving their policy goals, which include lack of resources, opposition from other interest groups, and political barriers.

Gaucher-Holm et al. (2022) undertook a study to quantify and describe the interactions recorded in the Registry of Lobbyists that occurred between industry and non-industry stakeholders and public holders from all institutions on topics related to the Healthy Eating Strategy. They found that industry-affiliated corporations and organizations most frequently registered to lobby on topic of M2K (58%), followed by *Canada's Food Guide to Healthy Eating* (44%), front of package labelling (42%) and lastly, the nutritional quality of the food supply (19%) (Gaucher-Holm et al., 2022). Additionally, according to Canada's lobbyist registry, 79 representatives from the food and advertising industry lobbied around Bill S-228, and 233 industry meetings with government officials were documented after Bill S-228 was passed by the House of Commons (Mulligan et al., 2021). Lobbyists worked to influence newly appointed senators, urging them to re-examine the bill, and targeted farm producers' associations

to influence rural senators leading to delays, since all senators have a right to speak on a bill (Campbell & Raine, 2019).

3.4.3 Policy Window, Entrepreneurs and Environment

Kingdon's concept of policy entrepreneurship highlights the significant role of skilled advocates who possess the ability to identify and recognize opportunities, known as policy windows, to push their policy proposal onto the agenda (Kingdon, 1995). These advocates are able to identify and align both the problem and the solution in a way that resonates with the political environment. Nevertheless, it was observed that despite advocates diverse efforts dedicated to Bill S-228, they failed to gather sufficient momentum to advance their policy propositions. This could be attributed to lack of policy entrepreneurship, a pivotal element defined as the capacity to strategically navigate the political landscape to garner support and traction for a policy proposal. In addition, the Bill encountered formidable opposition from industry groups, a factor underscored by Kingdon as instrumental in determining the feasibility of policy change. Policy brokers play a pivotal role in overcoming resistance from opposing coalitions. These policy brokers are individuals or organizations that are able to bridge the gap between different interest groups and facilitate policy compromise (Kingdon, 1995). In the context of Bill S-228, the absence of effective policy brokers may have also contributed to the Bill's failure to advance. These findings are consistent with other obesity prevention policy studies that are underpinned by the ACT and MST. These theoretical frameworks emphasize the importance of understanding political landscape and the role of interest groups in shaping policy outcomes.

3.4.4 Strengths and Limitations

By employing well-recognised policy process theories like ACT and MST, this chapter brings theoretical concepts to the analyze the policymaking process for Bill S-228 which enhances the theoretical grounding of the study. The Chapter clearly outlines the research focus and identifies the factors contributing to the Bill's failure using rigorous methodologies including the use of a single embedded case study approach, deductive analysis, and coding framework. This methodologic rigor enhances the accuracy and credibility of the study's findings (Assarroudi et al., 2018). This approach allows for a comprehensive understanding of the policy process surrounding Bill S-228. The comprehensive use of these methods allows for a thorough exploration of the policy context and the identified factors contributing to the bill's failure make it a valuable resource for policymakers and researchers seeing to understand similar policy challenges.

However, several limitations should be considered in interpreting the chapter's findings. Firstly, due to the specific context of Bill S-228, the finding may have limited generalizability to other policymaking contexts or countries. As policymaking processes can be dynamic, more event development my not be captured in the analysis (Phulkerd et al., 2017). Especially that policymaking processes can be dynamic, and the analysis may not fully capture more recent developments that occurred after the data collection periods. This temporal constraint may hinder a complete understanding of the evolving policy landscape and its influence on the bill's trajectory (Phulkerd et al., 2017).

Another potential limitation lies in the subjective nature of thematic analysis. Despite utilizing a predefined coding framework, interpretations of the data could still be influenced by subjectivity. This subjectivity may inadvertently introduce bias or affect the nuances captured during analysis. Furthermore, while the use of deductive analysis based on established theories

like ACT and MST provides a solid theoretical grounding, it may also restrict the exploration of emerging or alternative explanations for the bill's failure.

Finally, there may be potential bias in the sources collected. The reliance on specific documents or sources could introduce selection bias and impact the comprehensiveness of the data. The absence of certain perspectives or viewpoints could limit the depth of understanding and analysis, potentially overlooking critical factors that shaped the bill's trajectory (Phulkerd et al., 2017).

3.5 Conclusion

This chapter has provided a comprehensive exploration of the policymaking process surrounding Bill S-228 and shed light on the factors that contributed to its failure. By drawing on well-recognised policy process theories such as ACT and MST, the chapter has enhanced the theoretical grounding of the study, allowing for deeper understanding of the challenges faces in advancing Bill S-228 on the policy agenda while also building on findings insights gained from preceding chapters and examining the interplay of various dynamics. This study illustrated the complexity of crafting effective policies related to M2K, emphasizing the need for cohesive and comprehensive food marketing regulations across Canada.

One of the central findings highlighted the necessity of modifications to proposed restrictions within the failed bill. A significant consideration pertains to the age limit restriction, foods to be included, platforms diversity and types, consideration of the ever-evolving advertising landscape and establishing an effective monitoring system. The study also underscored the influential role industry lobbying has in the policy-making process. Industry stakeholders everted considerable influence, shaping policy agenda, content, implementation, and evaluation, thereby impacting policy success. The food industry's historical efficacy in

lobbying was evident, leading to debates on the sufficiency of voluntary industry-led regulations and the economic implication of the proposed bill.

Moreover, the study delved into the dynamics of coalition influences, highlighting the efforts of advocacy groups like the Stop Marketing to Kids Coalition. Despite their efforts, these coalitions faced challenged in gaining sufficient influence over decision-making, underlining the complexities of coalition-building and the political barriers they encountered. The examination of policy windows, entrepreneurs, evidence, and the policy environment revealed that the role of skilled advocates is critical in identifying and seizing opportunities for policy change. Lack of effective policy entrepreneurship and opposition from industry groups were among the factors that hindered the advancement of Bill S-228. The presence of policy brokers was noted as potential avenue to bridge the gaps between opposing interests and facilitating policy compromise. Overall, this study contributed to the understanding of the multifaceted nature of policy processes and underscored the need for comprehensive, evidence-based, and well-crafted policies to address pressing societal issues.

With the above in mind, the following Chapters of this thesis will build on these results and investigate further the policy process environment. More specifically, the following chapter 4 will summarize the semi-structured interviews completed with key informants involved in M2K and Bill S-228. Finally, Chapter 5 will compile these findings together in the form of conclusions and recommendations to guide the development of future policy.

Chapter 4 - Exploring Policy Dynamics Related the M2K and Bill S-228: Interviews with Key Informants

The issue of childhood obesity is a significant global public health crisis with far-reaching implications for the well-being and future of children (Al-Jawaldeh et al., 2020; Moya, 2023; Wang & Lim, 2012). Childhood obesity has been linked to a multitude of adverse health outcomes, from increased mortality rates to the development of chronic diseases such as type 2 diabetes, hypertension, and coronary artery diseases (Moya, 2023). Not only does childhood obesity impact individuals' health and quality of life, but it also carries substantial economic burdens, straining healthcare systems and reducing overall productivity (WHO, 2023). One key contributing factor to childhood obesity is Marketing to Kids (M2K) as it affects children's food preferences, consumption patterns, and long-term dietary habits (Moya, 2023; WHO, 2023). Children are particularly vulnerable to the persuasive tactics used in marketing, which often promote calorie-dense and nutritionally poor products (De Veirman et al., 2019; Potvin Kent et al., 2022). The World Health Organization's Commission on ending childhood obesity has unequivocally demonstrated that the M2K detrimentally affects childhood obesity (WHO, 2023). The report underscored the necessity of reducing children's exposure to marketing as a key aspect of any comprehensive safety to tackle childhood obesity. Prime Minister Trudeau identified children's marketing restrictions as a public health priority for Canada in his Mandate Letter to the Minister of Health following his first election in 2015 (Trudeau, 2021). Specifically, he tasked the Minister of Health Jane Philpott with introducing "new restrictions on the commercial marketing of unhealthy food and beverages to children, similar to those now in Quebec" (Trudeau, 2021; p.2).

Food and beverage advertising aimed at children under the age of 13 is subject to different regulations across Canadian jurisdictions (Sing et al., 2023). The control of such

advertising predominantly relies on industry-led-self-regulation throughout most of the country, except in Quebec where legal limitations on commercial advertising targeting children under 13 are in place (Pinto et al., 2020). Since 1980, Quebec has prohibited all forms of commercial advertising directed at children under 13 years old through the *Quebec Consumer Protection Act* (QCPA). The QCPA enforced a ban on advertising any commercial products intended for or enticing to children in this age group across all media and child-oriented environments (Consumer Protection Act, 1978). The QCPA is often referred to as one of the most comprehensive approaches to restricting M2K. More specifically, Quebec extends its ban on all forms of M2K (under 13) beyond just television. On television, marketing intended to kids is banned when children consist of at least 15% of a program's viewing audience (Mulligan, 2023; Mulligan et al., 2018; Potvin Kent et al., 2022). Three different criteria must be assessed to determine if an advertisement is directed at children under 13 on televisions: 1) the appeal or attractiveness of the advertises product; 2) the presentation style (e.g., does it have a childlike tone?); and 3) the broadcasting time (children's peak viewing time) (Bhawra et al., 2018; Boisen et al., 2018; Boylan et al., 2022; Brown, 2020; Fong & Izzak, 2019). More importantly, advertised products (like toys and candies) that are "designed to arouse the interest of children" are not permitted by the QCPA even if children do not make up 15% of the television viewing audience (Elliott & Scime, 2019; Gaucher-Holm et al.., 2022; Hack et al., 2020). The QCPA is enforced by the office de la protection du consommateurs who relies on a complaints-based process for enforcement (Gaucher-Holm et al, 2022; Hack et al., 2020). Some of the criticisms the QCPA received include: the nature of the threshold criteria for viewing times (when children make up 15% of the viewing audience) as being outdated; lack of monitoring; and that children in Quebec are still exposed to high number of marketing directed at adolescents (13-17 years

old) and adults (greater than 18 years old), since the QCPA is not limiting marketing to these groups. Nonetheless, studies indicate that the QCPA has led to a marginally less advertisements on televisions (Hack et al., 2020; Hay & Global Burden of Disease [GBD], 2017). Additionally, research suggests a slight improvement in the healthfulness of the food and beverage advertising viewed by children in Quebec compared to other children in other Canadian provinces (Hooper, 2018; Kent et al., 2022).

The voluntary self-regulation of M2K that exists in the rest of Canada is regulated under two industry-led, voluntary codes: the *Broadcast Code to Advertising to Children* (also known as the Children's Code) and the *Canadian Children's Food and Beverage Advertising Initiative* (CAI) (Ad Standards Canada, 2022). Both are administered and monitored by Ad Standards, a non-profit self-regulatory body comprised of advertisers, advertising agencies, and media organisations (Ad Standards Canada, 2022). In Canada, in order to have a broadcasting station, all television broadcasters must have a license from the Canadian Radio-Television Tele-communications Commission (CRTC) and adhere to the Children's Code and its Interpretation Guidelines, which are published by Ad Standards (Ad Standards Canada, 2022). Ad Standards' Children's Clearance Committee (comprised of industry and public representatives) are responsible for ensuring that ads adhere to the Children's Code, and they must approve all children's commercials prior to broadcast (Ad Standards Canada, 2022). Additionally, they are responsible to ensure that food advertisers advertise food and non-alcoholic beverages to children that comply with the federal regulations including the *Food and Drugs Act*, the *Food and Drug Regulations*, and the Canadian Food Inspection Agency's Food Labelling for Industry (Ad Standards Canada, 2022).

According to the Children's Code, the regulations related to M2K involves several provisions. It restricts the duration of advertising within children's programming, specifically they restrict advertising as to not exceed more than 4 minutes per half-hour of children's programming (or >8 minutes of advertising per hour of children's programming) (Ad Standards Canada, 2022; Kent et al., 2013; Lieffers et al., 2018). Additionally, the Children's Code prohibits the repetition of a commercial message during a single half-hour of children's programming (Ad Standards Canada, 2022). Within the context of the Children's Code, advertising directed at children is characterised as any paid commercial content that falls into one of two categories: 1) messages identified as "child-directed" by broadcaster; and/or 2) advertisements aired during or alongside children's programming, which broadcasters define as content aimed at children under the age of 12 (Monique et al., 2017; Mulligan et al., 2020; Nieto et al., 2022). The Children's Code's Interpretation Guidelines require depictions of advertised foods to be within the context of a balanced meal, be a reasonable serving size to a child, and snack foods must not be presented as substitutions for meals (Nieto et al., 2022). Finally, advertisements should not disparage a healthy lifestyle nor discourage the consumption of foods recommended by *Canada's Food Guide to Healthy Eating* (Health Canada, 2017).

In addition to the Children' Code, several Canadian corporations have acknowledged their pivotal role in fostering healthy media environments for Canadian children. The CAI was introduced in April 2007 through collaboration of Advertising Standards Canada and 18 prominent Canadian food and beverage companies (a few companies have withdrawn and currently, 16 large Canadian companies participate in the CAI) (Kent et al., 2011; Pinto et al., 2020; Prowse, 2017). This joint effort aimed at reshaping the landscape of food and beverage advertising targeting Canadian Children. As part of their initiatives, these food and beverage

companies have voluntary pledged to either refrain from unhealthy food and beverage M2K

under 12 years old entirely or advertise only "healthier" products that comply with the CAI's

Uniform Nutrition Criteria (implemented in December 2015 on different nutrient like sugar, salt,

sugar, etc..), on various media channels (Pinto et al., 2020; Prowse, 2017). CAI-participating

companies define children. Advertising as commercial messages that are broadcast during

television programs where children make up 25-35% of the viewing audience (Pinto et al.,

2020).

Despite the CAI's efforts to limit food and beverage advertising to children under 12

years old, studies have shown that self-regulation is insufficient in improving or protecting

Canadian Children from marketing (Boyland et al., 2022; Cinà & Nardi, 2022). Critics of the

CAI report that CAI-participating companies are responsible for more food and beverage

advertising during children's preferred viewing than non-participating companies (Mulligan et

al., 2018; Potvin Kent et al., 2022). Research has also shown minimal impact of the CAI on the

practices of certain CAI-participating companies. In fact, companies like Burger king and

General Mills were found to increase their volume of advertising after the implementation of the

CAI in 2011, compared to pre-implementation in 2006 (Kent et al., 2013; Pinto et al., 2020).

Even when reduction has been observed in children's exposure to CAI-participating companies'

food advertisements, non-participating companies have filled in the gap by increasing their

volume of advertising to children (Pinto et al., 2020). It is important to note that in terms of

compliance, the Children's Code and the CAI use a two-pronged approach: annual industry spot

checks and consumer complaints (Czoli et al., 2020; Hooper, 2018; Pinto et al., 2020).

Significant differences have been reported in the literature between external researchers and

industry-measured CAI compliance. In 2016, for example, Ad Standards reported 100%

compliance while an external researcher found over 30 non-compliant food ads (Potvin Kent et al., 2020). Other critics include child-audience thresholds being too high; low participating rates; narrow definitions of child-directed marketing; and exclusion of adolescents from marketing restrictions (Boyland et al., 2022; Correa et al., 2019; Pinto et al., 2020).

The WHO's recommendations, improvements in child-directed food advertising by statutory regulations (Nieto et al., 2022; WHO, 2016; WHO, 2012), and the inadequate effectiveness of self-regulation in limiting M2K, led to the development of a more stringent Canadian legislation, Bill S-228, *The Child Health Protection Act*. Former Senator Nancy Green Raine first introduced Bill S-228, to the Senate, in the fall of 2016 (Government of Canada, 2015). The Bill sought to amend *the Food and Drugs Act* by prohibiting all unhealthy food and beverage marketing directed to children under 17 years old across all potential marketing media channels and child settings in Canada (Government of Canada, 2015). In 2017, the age-limit of Bill S-228 was amended from children under 17 years old to children under 13 years old (Government of Canada, 2015). The Bill passed its third reading (with minor amendments) in the House of Commons and was sent back to the Senate in September 2018 for its final vote (Government of Canada, 2015). However, despite support, it never made it past the third reading in the Senate and thus failed to pass. Bill S-228 would have restricted unhealthy food and beverage advertising using marketing appeals designed for children under 13 years old, broadcast on programming intended for children, and/or broadcast on programs where children comprise at least 15% (or more) of the viewing audience (Kent et al., 2023; Kent et al., 2022; Pauzé & Potvin Kent, 2021). Regulations would have introduced strict nutrient thresholds for defining "unhealthy" food, which would have prohibited the advertising of foods and beverages whose added and total levels of sodium, sugars and saturated fat content exceed Health Canada's

nutrients content claims of "low in sodium", "low in sugar", and "low in saturated fatty acids" (Pinto et al., 2020). These restrictions would have prohibited foods that exceed 140mg of sodium/100g, 5g of sugar/100g and 2g of saturated fatty acids/100g of foods and beverages (Pinto et al., 2020; Potvin Kent et al., 2023). Finally, Bill S-228 would have introduced independent evaluation of policy's impact (with a focus on older children) 5-year after implementation and annual monitoring of compliance regulations, which are not currently employed in either the Canadian industry-led-self-regulation or QCPA (Mulligan et al., 2023). This is important because it acknowledges the importance of considering adolescents in future policy restrictions.

In Chapter 2, a narrative literature review using an *inductive* content analysis methodology provided a comprehensive view about M2K. This was followed by an examination of the policy change process of the Bill S-228 using two major policy change theories: advocacy coalition theory (ACT) (Sabatier & Weible, 2019) and multiple stream theory (MST) (Kingdon, 1995). Reviewing the literature around M2K and Bill S-228 was helpful, however, a review of documents does not provide the entire picture. To gain a more fulsome understanding of Bill S-228, and why it failed, requires speaking with those involved in the policy work. This will be accomplished through key informant interviews. The aim of this chapter is to build on findings from the first two studies by interviewing stakeholders who were involved in the M2K and Bill S-228 policy process and shed light on their perspectives and experiences. The study also aims to answer the following research questions: *Is the policy window on M2K still open, or has this opportunity passed? Can anything be done to 're-open' the window?* This Chapter begins with an overview of the methodology behind the interviews conducted with key stakeholders. It then

reviews the primary themes and findings from the completed interviews based on participant's experience, followed by a discussion of the implications of these findings.

4.1 Methodology

4.1.1 Positionality Statement

As the researcher conducting this study, I acknowledge my positionality and its potential influence on the research process and outcomes. My background diabetes research (master's degree) and nutrition (bachelor's degree), my expertise in these areas may shape my perspectives and interpretations throughout the research process. However, I endeavor to maintain reflexibility and impartiality, recognising and mitigating any biases that may arise.

A qualitative methodology was adopted to explore participant's experience with Bill S-228 and M2K. Qualitative methodology "refers in the broadest sense to research that produces descriptive data" (Taylor et al., 2015, p.7). This methodology holds significant importance as it allows for a deep exploration and understanding of the experiences of individuals involved in M2K and Bill S-228. The *inductive* thematic analysis, as defined by Taylor et al. (2015), involves producing descriptive data that delves into the rich and contextual experiences of participants. Adopting key informant interviews as the primary data collection method allows for more in-depth insights from individuals who have direct involvement and firsthand experience with M2K and Bill S-228.

Semi-structured interviews were conducted via Zoom, guided by an interview guide (Appendix F) consisting of open-ended and descriptive questions to explore participants' experiences engaging in M2K and Bill S-228 (Taylor et al., 2015). Key informant interviews are well suited for capturing participant's experiences and perspectives, enabling the understanding of the nuances of those experiences as constructed and narrated by the participants themselves.

This approach facilitates a more nuanced understanding of the complex interactions and dynamics involved in the policymaking process related to Bill S-228 (Taylor et al., 2015).

The inclusion criteria and interview guide were thoughtfully derived from the review and content analysis of previous studies (chapters 1 and 2) and were contingent upon ethical approval. Participants were carefully selected based on their ability to provide detailed insightful first-hand experience into M2K and the policy processes related to Bill S-228. The aim was to keep interviewing participants until data saturation is achieved. The duration of interviews varied based on the level of insight that the informant was able to offer into the relevant policy process but on average lasted around 45-60 minutes.

The inductive thematic analysis of the interview data was conducted following the steps outlined by Braun & Clarke (2006). This method of analysis allows for the identification of patterns, themes, and recurring ideas within the data. Coding was facilitated by the qualitative software NVivo10.

In order to be eligible to participate in this study, an individual must have some insight and first-hand experience into M2K, and the policy processes related to Bill S-228. Additionally, all participants were required to speak English and had to be over the age of 18. No further exclusion criteria were made regarding age, race, gender, ethnicity, or time spent in the position. To further enhance the participant selection process, recruitment was guided by findings from the previous studies (Chapters 1 and 2) through published work and consultation records This helped identify individuals who had insights and expertise in the subject, ensuring that participants could contribute meaningfully to the research. Additionally, a snowballing technique was used during interviews. This technique involves asking participants to refer other potential participants who might have valuable insights into the research topic. Snowball sampling is particularly

useful because it could expand network of potential participants and gain access to a broader range of experts and stakeholder in the field. Potential participants were Member of Parliament and bureaucrats, academics, and other stakeholders such as representatives from non-governmental organisations (NGOs) and industries. The inclusion of diverse stakeholders is crucial in comprehensively examining the complex dynamics and interactions between various actors involved in the policymaking process.

Potential participants were initially recruited via email (Appendix D). Because the sample for this study includes a very specific group of individuals, a broad recruitment strategy was not necessary. Instead, emails were gathered from government and organization websites that were publicly available. In cases where an email was not accessible through the website, an email was sent to the relevant organization (e.g., health authority, organization, etc.) asking for the email to be forwarded to anyone who would be responsible for M2K or work with Bill. S-228. If those contacted had an interest in participating in the study, they were then directed to email the researcher back to discuss participation further and schedule an interview. The researcher also asked participants to return a signed copy of consent, which was then stored as an encrypted file on the researcher's laptop, following Western University's guidelines (Appendix E). Interview questions (Appendix F) were also provided to potential participants in the days leading up to the interview to ensure that they were comfortable with the content of the interview and helped assess if they were the right individual to answer the questions. Those who were interested in participating in interviews were asked to provide an electronic consent after reading the letter of information to confirm that they understand the risks, benefits, and general information of the study. These steps were submitted and approved by the Western University's Non-Medical Research Ethics Board (NMREB) on (Project ID - 121867; See Appendix H and I).

The above recruitment resulted in six key informant interviews, all completed between April and June 2023. Interviews were conducted at a time that was mutually agreeable to research and participant. Interviews completed over Zoom to both limit in-person contact (interviews were conducted during the COVID-19 pandemic) and because participants were recruited from across Canada. The nature of the interviews was exploratory as the content covered in the interview was largely informed by areas of significance that were most important to the participants and based on their own experience. The interview questions focused on getting participants to share their role, experience, strategies, challenges, successes, hence their overall experiences (see Appendix F). Follow-up questions were asked to clarify meanings throughout to ensure that the experience constructed, and information provided by the participant was fully understood.

Prior to beginning the interview, the researcher verbally reiterated information outlined in the letter of information, which included goals and purpose of the study, the length of the interview, as well as their right to withdraw consent from the study at any time. The interview was audio-recorded, transcribed verbatim and imported into NVivo (v.13) for analysis. Participants were numbered anonymously (i.e., Participant 1, Participant 2, etc.) during this process and any identifying information, such as the organisation they are employed by, was removed to endure confidentiality. All quotes were anonymized to protect confidentiality of participants. Lastly, a feedback letter was sent to all participants after completion of the interview to direct them on how to contact the research for follow up about the study, their right to withdraw and whether they want to be contacted when findings of the study were ready to be disseminated (see Appendix G).

4.1.2 Data Analysis

The data collected from the interviews have been iteratively and inductively analyzed to discover overall themes that reflect the reality constructed by participants. This thematic analysis applied to the data is defined as "a method for identifying, analyzing, and reporting patterns (themes) within data" (Braun & Clarke, 2006, p.79). The goal with this approach is to answer the research questions in identifying the most common experiences, strategies or successes, and challenges faced during the policy process of Bill S-228 and M2K in general.

Data analysis began immediately after the interviews through the creation of a post-interview memo. These were written to note any initial thoughts and impression from the interview. The next step was to transcribe the interview. Transcripts are the descriptive data that is thematically analyzed in this study. Braun and Clarke (2006) outline a series of steps to conduct thematic analysis, which was utilized in this study (Braun & Clarke, 2006).

The first step of this process is for the researcher to actively familiarize themselves with the data. Familiarization was completed as the transcripts were created and they were reviewed repeatedly over a series of weeks after the interviews were completed. The next step was to generate initial codes to identify features and elements of the data that stand out to the analyst (Braun & Clarke, 2006). After coding was completed, themes were identified. This step refocuses the analysis to broader themes and requires that the codes be sorted into potential themes (Braun & Clarke, 2006). The themes were then reviewed, which often requires removing, combining, or further breaking down themes identified in the previous step (Braun & Clarke, 2006). A process of defining and naming themes is taken to identify the essence of what each theme is about and helps to determine what aspect of the data each theme captures (Braun & Clarke, 2006). Finally, when a list of fully worked-out themes is created, the final phase includes writing up the report (Braun & Clarke, 2006).

4.1.3 Qualitative Rigor

To ensure the rigor of the qualitative research process, several measures were implemented during data collection and analysis. Firstly, participant recruitment employed a purposive sampling strategy, aiming to select participants with diverse perspectives and experiences relevant to the research questions. Secondly, the semi-structured interviews allowed for in-depth exploration of participants' experiences, enabling rich data collection. Thirdly, data analysis followed a systematic approach outlined by Braun and Clarke (2006), ensuring transparency and rigor in the identification and interpretation of themes. Lastly, reflexivity was maintained throughout the research process, with efforts made to acknowledge and mitigate and potential biases or preconceptions.

4.2 Findings

The participants in this study exhibit diverse backgrounds and affiliations, encompassing both academic and non-governmental organization (NGO) spheres. Their involvement reflects a broad spectrum of perspectives and expertise related to the intricate landscape of M2K and Bill S-228. Academic participants bring a scholar lend, contributing insights grounded in research and analytical rigor. Their engagement offered a comprehensive understanding of the theoretical and practical dimensions about M2K and Bill S-228. On the other hand, participants affiliated with NGOs bring practical experiences and on-the—ground insights into advocacy efforts, policy engagement, and the real-world implications of M2K regulations. Challenges in recruitments will be discussed later but included not recruiting more participants and not having other participants from diverse backgrounds (e.g., industries, member of parliaments, etc.). This could be related to the fact that the timing of recruitment coincided with another project that focused on the examination of Bill S-228 which was also recruiting for interviews. This competing

recruitment efforts may have influenced the availability and willingness of key participants to participate, potential impacting the diversity and range of participants obtained for this study.

Data from the interviews were coded, and, after analysis was completed, eight major themes were identified based on participant's experience. They are: (a) the nature of the bill (Bill S-228 was a private member's bill); (b) industry influence; (c) stakeholder involvement (values and beliefs); (d) timing; (e) terminology debates; (f) the role of evidence; (g) framing of issue; and (h) political influence.

4.2.1 Nature of the Bill

One of the most prominent themes that was prevalent among all participants in the study was the fact that the Bill S-228 was a private member's bill as it was introduced by Former Senator Nancy Green Raine to the Senate. One key point raised by participants was the limited resources and support available to private members compared to government-backed bills. This lack of resources can hinder the effectiveness of private members in advancing their bills, especially in the face of well-funded and well-organized opposition, such as industry groups. For example, Participant 3 emphasized *"Industry always has more resources than everyone else, so everyone else is always at a disadvantage."* They noted, however, that *"the coalition building has really, as I said before, really helped" (*Participant 3).

Additionally, participants noted that private member's bills are generally perceived to have a lower chance of success compared to government bills. Private members have less influence and power within the legislative process, making it more challenging for those bills to gain support from other Member of Parliament. For example, Participant 1 explained that the mechanism through which a private member's bill needs to go through is longer with a lot of

opportunities for delays by different individuals making the process of passing it extremely difficult.

> *"Not that many private member's bill pass but to get a pass through a private member's bill is extremely difficult, I don't want to say impossible but extremely difficult. There should have been a mechanism that would have facilitated getting it passed, and the mechanism is that in the senate you can only filibuster a government legislation three times and then it must go through. With private members bill, one senator can filibuster forever and ever and so we had the majority support just couldn't get the vote put on the floor…"* (Participant 1)

Overall government sponsored bills hold greater prominence and receive higher priority as they are introduced by ministers who are part of the ruling party, and they are often aligned with the government agenda. These bills typically have more resources, support, and backing from the government, which gives them a stronger position in the legislative process. The government has greater control over the scheduling and prioritization of bills, allocating more time and attention to their own legislative proposal. The internal cohesion and disciplined voting behaviour create a more favorable environment for government bill, as they can count on a predictable level of support from their own party members. In contrast, a private member's bill faces a more challenging path, and often compete with numerous other bills for a spot on the parliamentary schedule. Participant 3 adds that more delays happen in the overall process because, in the Senate, there is a special procedure where a bill must go back to the Senate for approval, even though it has already gone through the Senate, as opposed to when a bill is introduced in the House of Commons. They further noted,

> *"It would have been better if the bill has been introduced by a member of the Liberal Party in the House of Commons. The bill would have passed likely if that has been the case, but because it was introduced in the Senate, there's this special procedure in the Senate where a bill must go back to the Senate for approval, even though it has already gone through the Senate…"* (Participant 3)

4.2.2 Industry Influence

Participants in this study identified that industry influence as another prominent theme that posed challenges for Bill S-228. These findings indicate a substantial challenge that necessitates attention and action in order to achieve meaningful policy change. According to participants, this industry influence is a major challenge that needs to be addressed in order to effect policy change.

Participants highlight the industry's ability to craft and promote persuasive narratives that successfully sway officials, making them a formidable adversary in the policy arena. For example, Participant 3 observed, "*industries are formidable adversary who use experienced at using different tactics to get what they want*". This ability to strategically devise compelling storylines to influence decision-making was consistently emphasized by participants. For example, Participant 1 mentioned that industries are very good at figuring out key narratives to effectively advance their own interests. This demonstrates that industries have skilled understanding of the policymaking process.

> *"Industries are very good at figuring out key narratives to push with officials and testing them all out and using them. They are just phenomenal. It's the same play book that is used by the tobacco industry, the vaping industry, and to some extent the pharmaceutical industry and they're masters of that. It was challenging to work against the food industry they're formidable adversary"* – Participant 1

Several participants provided examples of the narratives employed by the industries. One prevalent narrative revolved around the economic burden imposed by the Bill's requirements, particularly regarding the need to change packaging and other aspects. For example, Participant 5 stated, "*food industry keeps saying that they are already losing money because of the pandemic*". Industry representatives argue that these changes would lead to substantial costs and negatively impact their profitability. For example, Participant 2 stated that "*Food industry use words like this change is too expensive to put in place, it will destroy our industry because they*

need to change their package again and again". By emphasizing the potential economic

consequences, they seek officials who may prioritize economic considerations. Another narrative

example is related to the effects Bill S-228 may have on producers like the grain and bread

farmers, which can potentially harm farmers, manufacturers, and other stakeholders. For

example, Participant 4 stated, "*Industries often say that the government is not listening to*

farmers or food producers".

Additionally, according to participants, industries use different tactics to influence policy

change. One notable tactic mentioned by participants is the strategic contacting of higher

authorities. Industries actively engage with individuals who hold positions of power and

influence within the policy-making process. By establishing direct communication channels with

these high-ranking officials, industries seek to shape decision-making processes in their favor.

Industries not only target high authorities at random but specifically focus on the seniority of

those high authority individuals.

> *"The food and beverage industry were interacting more with people who are higher up in*
> *terms of their policy making, not abilities, but in term of how their seniority type thing*
> *compared to people working kind of for public health, the non-governmental side"*
> (Participant 3).

Another tactic identified by the participants is the creation of false groups or

organizations. Industries establish and support seemingly independent groups, including NGOs,

that advocate for their interests. These industry-backed groups often present themselves as

diverse voices, giving the impression of broad-based support. Participant 4 mentioned that

buying time with food inspectors, for examples, gave industries enough time to not only advance

their interest but to also make changes when any type of complaint is submitted towards their

marketing and hence avoid paying fines. For example, short promoting strategies industry use.

Employing short promotion strategies entails utilizing concise and focused marketing techniques

with the aim to, quickly and efficiently, attract and engage online audiences, thereby mitigating

non-compliance risks and potential fines. For example, Participant 2 stated, "*industries use short*

promotions on websites to avoid getting caught".

Furthermore, participants pointed out that industries employ delaying tactics as a mean to

advance their interest and delay the process of policy change. They strategically utilise the mean

of buying times to hinder the process. This tactic can involve raising concerns, requesting

additional consultations, or lobbying for amendments, ultimately delaying the adoption of

desired policy changes. For example, additional consultations were requested in the last few

months before the deadline where the bill was supposed to Royal Ascent.

> *"There were a couple amendments that everyone agreed with, but then some of the*
> *senators started stonewalling it and, stalling it because they felt there was inadequate*
> *consultation done with the food and agriculture industry. All of which came up in the last*
> *few months before the May deadline where there were supposed to be the Royal Ascent"*
> (Participant 4).

4.2.3 Stakeholder Involvement

According to participants stakeholder involvement is a crucial aspect influencing the

success or failure of policy initiative such as Bill S-228. However, it is important to note that

stakeholder involvement alone may not guarantee the desired outcomes for a proposed bill for

many reasons. Stakeholders refer to individuals, organizations, and interest groups that have

vested interest in the proposed bill. Industry is also a stakeholder, but given the role that was

identified for industry, it was dealt with as a separate theme. Coalitions hold a pivotal role in

shaping the outcomes of policy initiatives (Giambartolomei et al., 2021). A coalition refers to a

collaborative alliance formed by stakeholders who share common goals, interest, values, and

beliefs (Butterfield et al, 2004). Coalitions provide a structures platform for stakeholders to unite

their efforts and resources toward a common cause (Muro & Jeffrey, 2012; Clarke et al., 2018).

Beliefs and values hold significant importance in the realm of policy initiatives and stakeholders'

perspectives, actions, and motivations. Beliefs represent the cognitive framework through which

individuals interpret information and make decisions, while values encapsulate the deeply held

convictions and ethical standards that shape their priorities (Clarke et al., 2018). The ability of

stakeholders to form effective coalitions is particularly significant in the policy change process

(Clarke et al., 2018). This collaborative approach empowers them to engage in persuasive

advocacy that significantly shapes the direction and fate of policy proposals. This dynamic

interplay between stakeholders' values, beliefs, and ability to inform influential alliances plays a

crucial role in determining the ultimate success or failure of policy initiatives like Bill S-228

(Government of Canada, 2015). Examples of some of the coalitions identified during interviews

that supported Bill S-228 include Coalition for Healthy Kids, Stop Marketing to Kids Coalition,

Dietitians of Canada, Obesity Canada (formerly Canadian Obesity Network), Canadian Cancer

Society, Heart and Stroke Foundation, Childhood Obesity Foundation, and Canadian Public

Health Association. Coalitions against Bill S-228 include Food and Consumer Products Canada

(expressed concerns about the potential impact of Bill S-228 on food and beverage advertising

and marketing practices) and the Canadian Beverage Association (raised objection to certain

aspect of Bill S-228, particularly regarding the definition of "unhealthy food" and its potential

impact on beverage marketing). Whether for or against, coalition formation is so important that

some stakeholders even put leverage on different groups to gain multiple additional stakeholders

to support their policy beliefs and values.

> *"Advocacy campaigns in general have multiple stakeholder involvement which is key. For Bill S-228, it was very important to gain support from the industry groups. Because the food and beverage industry sector were very much against it, they leveraged some of the farmer to get their support in return of purchasing their goods… and hence industry got more support from the agricultural groups... just to have even a little of industry support is a very valuable to the government."* (Participant 1)

Another Participant noted:

> *"There were two systematic reviews that came out in 2005, 2006, showing that food and beverage marketing influenced children's food preferences and their food intake associated with obesity. Who recommended that member states develop regulations. Meanwhile in Canada, tons of research were going on and I think that kind of just kept sinking the point more that this is a big problem in Canada. The fact that government, academics, and NGOs have worked together, helped in moving the issue forward."* (Participant 3)

Further, participants noted a crucial aspect regarding coalitions: while different stakeholders might align either in support or opposition to the Bill, distinct coalitions inevitably center their efforts around their core beliefs and values. The involvement of stakeholders with divergent values and beliefs can lead to significant disagreements and conflicts. These differences may manifest in competing policy proposals, varying interpretations of evidence, and contrasting understanding of the risks and benefits associated with M2K. For examples, food and beverage marketing restrictions value children's health, which appeals to health-focused organizations as opposed to the food and beverage industry, which value profits. One Participant explicitly noted this: *"I think that people who want food and beverage marketing restrictions value children's health over the profits of the food and beverage industry. That's not surprising if you are an NGO that cares about chronic disease prevention, you're concerned about the prevention of chronic disease in children…"* (Participant 3). As a result, this can create disagreement within the coalition itself, which can indirectly affect the policy change process. Acknowledging and managing these internal differences is crucial for stakeholders and policymakers involved in the policy process to advocate for policy change effectively. For example, Participant 5 stated *"Some NGOs were more involved than others as Bill S-228 directly affect their NGO's values and believe as to decrease obesity for example."*

4.2.4 Opportune Time

When examining the correlation between timing and the progress of Bill S-228, participants expressed varying viewpoints. All participants agreed that the introduction of Bill S-228 occurred at an opportune timing, aligning with growing concerns surrounding health issues and chronic disease and the opportunity that opened through the announcement made by Prime Minister Trudeau in his mandate letter. Participant 1 suggested that it came at a very strategic timing, "*Very strategic timing. It was just the wrong form of bill, timing was perfect.*"

However, it is worth noting that while participants recognized the favorable timing of Bill S-228's introduction, they also pointed out that had there been more time during the consultation process, the Bill would have had enough time to more likely receive its final vote. For example, Participant 5 stated "*If we are starting a project too late in the process of the Parliament, it is always a risk*". More specifically, Participant 2 emphasized on the importance of not starting a project too late in the process of the Parliament as its always a risk.

> *"There were a couple amendments that everyone agreed with, but then some of the senators started stonewalling it and stalling it because they felt there was inadequate consultation done with the food and agriculture industry. This delayed the process as it all happened in the last few months before the May deadline where there were supposed to do the Royal Assent. The debate continued and unfortunately there was a motion put forward to send it back to the agriculture committee. That basically killed the bill because it just meant there was no more time to bring it back."* (Participant 4).

The Challenge arising from delays and procedural complexities highlight the vulnerability of policy proposals to unforeseen obstacles. This interplay between timing, consultations, and parliamentary dynamics provides a critical lens through which to analyze the potential trajectories of policy change initiatives (Weible, 2023). Policymakers operate under significant time constraints and often do not have the luxury of talking their time to make a decision (Weible, 2023). This is because attending to or processing events and circumstances in political systems can occur in parallel, whereas individuals' ability to give attention to or to

process information is serial (Jones & Baumgartner, 2005; Schlager, 2019). In other words, owing to biological cognitive limitations, individuals can only attend to one issue at a time. In contrast, organisations and governments can attend to many issues simultaneously thanks to division of labor. Policymakers, for instance, can actively consider only a relatively small number for issues, whereas the Canadian government can simultaneously deal with different policies or potential policies (Jones & Baumgartner, 2005). Thus, because many issues vie for attention, policymakers sense an urgency to address them and to "strike while the iron is hot" consequently, time constraints limit the range and number of alternatives to which attention is given (Weible, 2023). Hence, delays can only exacerbate the challenges in the policy process, as illustrated by the case of Bill S-228. While timing can open doors (e.g., windows of opportunities), effective policy change requires meticulous attention to the interplay of factors that influence the policy change process (Jones & Baumgartner, 2005; Weible, 2023).

4.2.5 Terminology Debates

Participants highlighted the challenges and disagreements associated with defining and categorising foods as something that negatively affected the policy change process for Bill S-228. Within this debate, participants noted that different stakeholders and interest groups have divergent interpretations and understandings of what constitutes "healthy" and "unhealthy" food. This divergence in perspectives led to conflicting opinions on establishing nutritional cut points or thresholds for certain nutrients or food components. It also affected identifying or classifying what food are to be considered "unhealthy" which affected the implementation of Bill S-228. For example, Participant 6 stated "*Opposite parties did not want to use the word unhealthy because it demonized foods or portray as entirely harmful.*" This point underscored the complex and often

contentious nature of policymaking, where the choice of language and terminology can significantly influence perception and the ultimate fate of a policy initiative. Another example was stated by Participant 5 who said that "*avoiding the term unhealthy is important to maintain a balanced approach that respects individual dietary preferences and cultural differences.*" Moreover, the terminology debate extends beyond definition and thresholds. It encompasses a broader discourse on the impact of labelling certain foods as healthy or unhealthy and the potential consequences for consumer behaviour and industry practices. Participants emphasized that terminology choices can influence public perception, consumer choices, and even industry strategies. These further complicated efforts to develop effective policies, as stakeholders may have varying interests in how foods are labelled and marketed. For example, Participant 3 suggested that dividing food into two categories – healthy and unhealthy –is not an exceedingly complex task.

> *"I think it's very easy to classify foods as healthy and unhealthy. It does encourage industry to make their foods healthier. It's not rocket science to divide foods into two categories. You just develop criteria. It's been done by a whole bunch of different countries. You just need to make sure your definition is strong enough and then encourage industry to improve their food, to reduce the sugar level. All those yogurts would be healthy if they just took half the sugar out of them. Why does it have to be so sugary? Why do salty things have to be so salty? You can reformulate."* (Participant 3)

In contrast, Participant 4 noted that the Bill could have passed if it had not imposed restrictions based on terms such as "healthy", "unhealthy", "food marketing", and "ultra-processed". They proposed a more general bill name targeting the restriction of "marketing" instead of specifically addressing "food marketing." This suggestion aimed to avoid delays caused by attempting to determine or identify the items falling under each definition. Participant 2 also added that even if criteria were agreed upon and specified, industries are sneaky and will always find a way to circumvent them by reformulating their products to meet the criteria in a

way or the other. *"The first time we were ever working on school food guidelines, we have a low-fat criterion and well Oreo cookies made the cut because that was the only criteria. So, Oreo cookies passed the criteria as allowed to be in school. Do you really think that those should be on your child's menu in a school?"* (Participant 2). This finding highlights the need to anticipate and address potential loopholes and industry strategies when formulating and implementing food-related policies. Moreover, the terminology used in such policies opens the door to various interpretations, making it essential to clarify and define key terms to prevent ambiguity and ensure effective enforcement.

4.2.6 Role of Evidence

Evidence plays a pivotal role in the realm of policymaking, guiding decisions with solid information and insights (Bogenschneider & Corbett, 2021). However, navigating the intricacies of evidence-based policy making can be complex, particularly in the context of balancing it with the diverse other factors that influence policy development and implementation (Bogenschneider & Corbett, 2021). Furthermore, sometimes conclusive evidence might not be readily available, especially when dealing with complex and multifaceted issues. In such cases, policymakers are challenged to make informed decisions by carefully weighing the available evidence alongside practical considerations, ethical considerations, and the preference of various stakeholders (Bogenschneider & Corbett, 2021). Striking the right balance between evidence and other influencing factors requires a nuanced approached, often involving trade-offs and compromises (Bogenschneider & Corbett, 2021). Additionally, the political and societal context in which policies are developed can further complicate matters, as competing interests and differing ideologies can shape the interpretation and utilisation of evidence. In this intricate landscape, policy makers must exercise judgement and foresights, understanding that while evidence is a

crucial foundation, successful policy outcomes also hinge on skillful negotiation of the broader policy landscape (Bogenschneider & Corbett, 2021; Rousset et al, 2015). This was further emphasized by Participant 1 who highlighted the critical role of evidence in policymaking but acknowledged that there are certain variables and populations for which conclusive evidence may not be available. Those variables include the interconnected factors that make it difficult to isolate the impact of a single variable (Bogenschneider & Corbett, 2021; Rousset et al, 2015). For example, the interactions between various socio-economic factors can be complex, leading to challenges in establishing direct cause-and-effect relationships. Another example is conducting controlled experiments or studies to gather evidence could raise ethical concerns. For example, it may not be ethically permissible to subject certain populations, such as vulnerable populations or children, to potentially harmful conditions for the sake of research. Finally, among other examples, in rapidly evolving fields like technology, policies might need to be developed before comprehensive evidence is available due to the rapid pace of change (Bogenschneider & Corbett, 2021; Rousset et al, 2015).

Participants also emphasized the challenge of providing the impact of a specific policy on a large-scale outcome due to numerous factors involved. For example, those opposed to Bill S-228 demanded evidence demonstrating the ability of an M2K policy to reduce obesity by a specific percentage. However, Participant 1 argued that such conclusive evidence is impossible to obtain. According to Participant 5, it becomes evident that the concept of precautionary evidence plays a significant role in decision-making when conclusive evidence is lacking. Precautionary evidence refers to the use of cautionary principles in decision-making processes, particularly in situations where there is scientific uncertainty or limited knowledge about

potential risk. It involves taking preventative and protective measured even in the absence of

conclusive evidence (Rousset et al, 2015). As Participant 5 noted,

> *"Evidence is critical, but we don't have it for certain variable and certain populations.*
> *You can't prove that a certain policy has an impact on a big scale outcome because of so*
> *many different factors involved, so it depends on the level of evidence you want. Like the*
> *opposition wants evidence to demonstrate that marketing to kids' policy has the ability to*
> *impact obesity by x percent. We cannot demonstrate that, it's impossible but we do know*
> *for example in a jurisdiction like Quebec that there is positive effect at a population level."*
> (Participant 5)

Furthermore, Participant 3 stated that evidence was important and played a critical role in the

introduction of the bill. More specifically Participant 3 said,

> "*I would say that evidence is what pushed Senator Nance Greene Raine to introduce the*
> *bill in the first place. She was on the Senate committee that did that big obesity report, and*
> *so that was the precursor to the bill being developed."* (Participant 3)

This was evidence by the report released by the Standing Senate Committee on Social

Affairs, Science and Technology, in March 2016 (just before the introduction of Bill S-228) that

found there is an obesity crisis in Canada (Mulligan, 2023; WHO & The World Bank, 2023).

The substantial amount of evidence supporting the restriction of food and beverage marketing

played a crucial role in her decision-making process (Mulligan, 2023; WHO, 2016; Wong et al.,

2020). This underscored the significance of evidence as a catalyst for policy development and

implementation. The recognition of evidence as a catalyst highlights how it doesn't merely act as

a passive informant by actively propel the process of crafting and executing impactful polices.

This acknowledgement reflects the fact that evidence doesn't exist in isolation; it possesses the

power to ignite transformative policy actions. Participant 2 further amplifies the idea that while

evidence-based data serves as a foundational pillar and is an essential determinant in the intricate

policy landscape, it is not the sole determinant in the decision-making process.

> "*Evidence-based data is always good but not the only piece of the puzzle to making a*
> *decision. We need that information, but we also need other components like for example*

Nancy Greene Raine who was a great champion, and every policy needs a champion"
(Participant 2).

More than just evidence, policy change often requires champions like Senator Greene
Raine who advocated for its implementation, demonstrating how the commitment of a passionate
advocate can be instrumental in driving policy forward. In addition, these champions also need
support from different groups to demonstrate social acceptability: *"champions need also to be
surrounded by groups to support and demonstrate that there is social acceptability about that
kind of program or project"* (Participant 2). This reflects the reality that sustainable policy
change is multifactorial and often emerges from different factors like confluence of evidence-
based insights, passionate advocates, and supportive groups.

4.2.7 Framing of Issue

When delving into the dynamic of policy making, framing takes center stage as a crucial
step in shaping public perception and driving effective change (Mintz & DeRouen, 2010).
Framing is not just about presenting facts; it's about strategically packaging those facts to
resonate with the values, beliefs, and concerns of the target audience (Mintz & DeRouen, 2010).
By framing an issue in a certain way, policymakers and advocates can capture public attention,
spark conversations, and rally support around a particular policy agenda (Mintz & DeRouen,
2010; Weldon, 2002). Moreover, framing issues is not a one-size-fits-all approach. Different
audiences might respond to varying aspects of the same issue, and effective framing requires
understanding these nuances (Mintz & DeRouen, 2010; Weldon, 2002). Framing also involves
considering the broader context and prevailing narratives (Mintz & DeRouen, 2010). For
instance, if an issue is already framed in a certain way by opponents, proponents must
strategically reframe it to counter those perspectives and offer an alternative interpretation that
aligns with their goals. This was seen in the case of Bill S-228 where participants all agreed that

the issue of M2K initially was framed and gained attention due to concerns about childhood

obesity, which served as a motivation for Bill S-228's introduction by Senator Nancy Greene

Raine. However, the complexity and difficulty in demonstrating the direct impact of M2K on

childhood obesity rates prompted a reframing of the problem. Recognizing that obesity is a

multifaceted issue requiring long-term evidence, the focus on M2K – and specifically Bill S-228

– expanded to encompass related health concerns such as type 2 diabetes, tooth decay, and

cancer. That way the Bill was framed more broadly. For example, participant 6 stated:

> "Obesity *was often framed as an individual problem as opposed to a societal problem,*
> *however, it is clear that the solution is not simply to increase physical activity or change*
> *individual behaviours. M2K is a broader issue where different other aspect are involved*
> *like M2K. That's why we invested in a Healthy Eating Strategy in the first place.*"

Further, participants added that industry employed a variety of tactics in order to frame

the issue so that it did not focus on their marketing practices. More specifically, industry framed

the problem as an individual problem, shifting the burden onto individuals and parents. In doing

so, they attempted to shift the dialogue away from the powerful impact that targeted marketing

strategies have on children's decision making. This deflection technique serves to absolve

industries of accountability and perpetuates a narrative that overlooks the broader societal factors

at play.

> *"The issue related to M2K is no longer framed as leading to obesity but also other*
> *outcomes like cardiovascular disease, diabetes, high blood pressure etc. In terms of the*
> *industry and how they frame issues around obesity, there is two things that they do: One*
> *make it as an individual and parents issue saying that they must take a lead to address*
> *these kinds of health issues. The other thing that they do is deflect the issue by associating*
> *it to other things like physical activity or poverty causes obesity and chronic disease and*
> *hence we need to address poverty. So, they like to deflect away from focusing away from*
> *nutrition. Deflection is a big tactic that the industry uses, and individual responsibility is*
> *part of that for sure."* (Participant 1)

4.2.8 Political Influence

Political influence plays a significant role in shaping the policy change for Bill S-228, as highlighted by participants. It encompasses several key factors that impact the progression and outcomes of a bill within the political landscape. Political influence includes the prioritisation of the political agent, the composition of the legislative body, and the lobbying efforts within the parliamentary process (Mintz & DeRouen, 2010). Participant 2 stated that industries are well organised and "*have their own office at the parliament*" to lobby action they put in place affecting the prioritisation of issues on the political agenda. Furthermore, Participant 3 adds that the Senate, at the time that Bill S-228 was being discussed, has more Conservative members (or, at a minimum, Senators appointed by the Conservative Party) who may have had different political priorities or motivations. This political dynamic impacted the willingness of the Senate to vote on certain bills, potentially delaying or obstructing their progress. Participant 5 stated that politics played an important role as "*the Senate had more conservative members and wanted to make it look like the Liberal Party hadn't accomplished as much in their term.*" In some cases, political motives unrelated to the content or significance of the bills themselves can come into play, as political parties may seek to portray their opponents as having accomplished less during their term.

> *"At the time, the Senate had more conservative members, I believe, and there were many, many bills that the Senate refused to vote on. And that's political it's to make the Liberal party look like they hadn't accomplished as much in their term. And some of the bills were not contentious at all, like extra training for judges, for sexual assaults trials…. who would be against extra training? But they just held back a whole bunch of bills. And again, that's politics and I presume trying to make it look like the Liberal Party has accomplished less."* (Participant 3)

Finally, Participant 6 stated that when the *Healthy Eating Strategy* was initially proposed, then Minister of Health Jane Philpott, what was a strong advocate for nutrition. However, after

Philpott lost her seat in the following election, there was a notable shift in leadership which has a negative impact on the implementation of policies like Bill S-228.

4.3 Discussion

The issue of M2K has emerged as a significant concern in contemporary policy discourse due to its potential impact on public health, particularly childhood obesity and related chronic diseases (Al-Jawaldeh et al., 2020). Government worldwide is grappling with the challenges of regulating food and beverage marketing directed at children to mitigate the adverse effects of unhealthy dietary habits (Moya, 2023; Wang & Lim, 2012). In Canada, efforts to bring about meaningful change in children's lives through statutory regulation (i.e., Bill S-228, *The Child Health Protection Act*) have been, unfortunately, opposed and defeated (Potvin Kent et al., 2022; Powell et al., 2013; Rachel, 2017; Raine et al., 2013). What remains is a voluntary self-regulatory system adopted by Canadian food and beverage industries, known as the *Canadian Children's Food and Beverage Advertising Initiative* (CAI) and the *Broadcast Code for Advertising to Children* (Children's Code) (Ad Standards Canada, 2020; Ad Standards Canada, 2022). Although this system aims to foster healthier food environments for children, we observed that they both fail to protect children in Canada from M2K (Pinto et al., 2020; Potvin Kent & Wanless, 2014; Reilly & Goren, 2018; Rousset et al., 2015; Russell et al., 2019).

In this context, this study examined the intricate landscape of M2K regulation, focusing on the case study of Bill S-228. More specifically, this paper aimed to shed light on the failure of Bill S-228 And to also answer the following research question: *Is the policy window on M2K still open, or has this opportunity passed? Can anything be done to 're-open' the window?* through interviews with relevant stakeholders.

The multifaceted nature of M2K and its implications prompted the exploration of diverse

perspectives and factors that influenced policy development and implementation including the

nature of the bill, industry influence, stakeholder involvement, timing, terminology debates, the

role of evidence, framing of the issue and political influence. By examining these themes, this

paper provides insights into what the challenges were in regulating M2K and the dynamics of the

policy-making process of Bill S-228.

The first theme focuses on the nature of the Bill as a private member's bill. Participants

noted the limited resources and support available to private members compared to government-

backed bills. This lack of resources hinders the effectiveness of private members in advancing

their bills, especially in the face of well-funded and well-organized opposition from industry

groups. Private member's bills are generally perceived to have a lower chance of success

compared to government bills due to their limited influence and power within the legislative

process. This finding emphasizes the challenges faced by private members in advancing their

bills and the advantages enjoyed by government bills. A research article done by Cavari et al.,

(2023) evaluating private members' bills in Israel, a country that has one of the highest rates of

private member' bills in parliamentary democracies, found that without government support,

most private member' bills fail to pass the legislative process. More specifically, the authors

highlight that for private member' bills to pass, the Members of Parliaments need to utilise

various tools like parliamentary debates, negotiations, public campaigns, and alliances with other

interest groups. This emphasizes the pivotal role of government support as a determinant of the

success and effectiveness of legislative initiative, particularly when considering the nature of

private member's bill. Private members will need to seek individual support from members of

the ruling party who may share their concerns and priorities (Williams et al., 2018). Building

relationships and fostering dialogue with government members can potentially lead to their support and influence (Cavari et al., 2023; Williams et al., 2018). Hence, addressing the issue related to private bills having a lower chance of success, requires a multi-faceted approach that recognizes the significance of garnering cross-party and bi-partisan support for private member's bill which can help mitigate the disadvantaged faced by private members and enhance the chances of success for their legislative initiatives. By transcending party lines, private members can tap into a broader base of political and social support, increasing the visibility and credibility of their bills. Other key steps can be taken to address this including: building cross-party alliances (e.g., conservative, and liberal parties), engaging in public advocacy (e.g., private members can create a groundswell of support that pressures party leadership to prioritize their bills), and raising awareness within committees (e.g., by presenting evidence and engaging other members which can sway opinions and increase the changes of committee endorsement) (Cavari et al., 2023; Williams et al., 2018).

The second most prominent theme was industry influence in opposing Bill S-228. Participants in the study reported that industries use multiple techniques and possess the ability to craft persuasive narratives to effectively sway officials to influence the decision-making processes, showcasing their skilled understanding of the policymaking process. Among the tactics identified were lobbying efforts that targeted individuals in positions of power to establish direct communication channels to advance their own agenda. A study done by Mulligan et al., (2021) investigated interactions between different stakeholders and government related to children's marketing and Bill S-228 (September 1, 2016 - September 30, 2019) and they concluded that industry stakeholders interacted with government more often, more broadly and with higher ranking offices than non-industry stakeholder.

Narrative crafting is another tactic identified where industries strategically devise compelling storylines to influence decision-makers (Amul et al., 2021; Brambila-Macias et al., 2011). These narratives aim to highlight the adverse consequences that could arise (Amul et al., 2021). Examples of those stories include the potential economic burden and the impact M2K regulations will have on specific industries, such as the grain, bread, and milk industries. This is because the Bill classified "unhealthy foods" as anything with more than five per cent fat, salt, sugar, which will lead to limiting marketing on foods like breads or dairy. This restriction raises concerns among farmers and dairy producers who heavily rely on marketing to promote their goods and maintain sales (Brambila-Macias et al., 2011). Another narrative is related to the age group, particularly focusing on children under 13. The industries argue that the restrictions on marketing may inadvertently affect the accessibility and availability of a wide range of products for this age groups. They claim that such regulations could lead to a decreased variety of food options for children, potentially limiting their choices and depriving them of foods they enjoy. Research has shown that industry is more interested in marketing to children as they are less equipped to critically evaluate marketing messages and are more likely to take advertisements at face value (Amul et al., 2021). Industries also recognise that by targeting children they are more likely to continue consuming products as they transition into older age groups developing early brand loyalty and recognition which can translate into long-term consumer behaviour (Sima et al., 2020). Finally, industry do recognise that children have the ability to influence their parents' purchasing decisions, often referred to as "pester power". Kids can be persistent in requesting products that have seen in advertisement. These dynamics lead to increased sales of products and hence more profits (Sima et al., 2020). Additionally, industries establish and support independent groups, like NGOs and industry groups, to advocate for their interest. These groups often present

themselves as diverse voices, creating the illusion of broad-based support, thereby leveraging the credibility associated with varied perspectives (Tatlow-Golden & Garde, 2020). This tactic aims to counter the growing calls for regulation by presenting alternative perspectives and creating confusion about the need for stricter M2K restrictions. Further, industries employ various delaying tactics to hinder the process by requesting additional consultations, lobbying for amendments, slowing down the process by deflecting the issue and associating it to other aspects (Salinsky, 2006). The deflecting technique employed by industries is a strategic maneuver aimed at shifting the focus of the discourse away from their marketing practices and their potential negative impacts (Choi et al., 2021; Hiscock et al., 2020). Industries often employ this tactic by redirecting attention towards other factors or variables that could contribute to public health concerns (Amul et al., 2021; Hiscock et al., 2020). By associating issues like obesity or health outcomes with factors such as individual behaviours, genetics, physical activity, or socioeconomic conditions, industries attempt to downplay the significance of their marketing strategies in influencing children's choices (Amul et al., 2021; Potvin Kent et al., 2022).

These tactics underscore the challenges faced by policymakers in countering industry influence and advancing policy initiatives (Hiscock et al., 2020). This finding highlights the need to address industry influence in order to achieve meaningful policy change. To effectively counter these tactics, policymakers need to not only recognize the strategies employed by industries but also actively engage in building alliances with various stakeholders, including public health organizations, advocacy groups, and consumer associations. This coalition-building approach can help strengthen the legitimacy of policy initiatives and amplify their impact, fostering a more balanced policy environment that prioritizes public health over industry interests (Daly-Smith et al., 2020).

Stakeholder involvement emerges as third prominent theme influencing the success or failure of policy initiatives like Bill S-228. Effective coalitions formed by stakeholders play a significant role in shaping the direction and fate of policy proposals (Daly-Smith et al., 2020). By aligning message with values and engaging in persuasive advocacy, stakeholders can significantly influence the policy change process (Daly-Smith et al., 2020). The coalitions who supported Bill S-228 employed various strategies to gain support from the government like engaging in direct lobbying efforts by meeting with government officials, providing them with research findings, and present their perspectives on the issue at hand. Further, coalitions often ran advocacy campaigns to mobilize public support and raise awareness by using social media, traditional media outlets, and public events (Doussard & Fulton, 2020). Finally, coalitions collaborated and made alliances to amplify their voices, pool their resources, and present a united front when advocating for Bill S-228. However, participants noted that despite stakeholders unifying for the same cause, they still had divergent values and beliefs which may have led to significant disagreements and conflicts within coalitions themselves. These differences may manifest in competing policy proposals, varying interpretations of evidence, and contrasting understanding of risks and benefits. Hence, acknowledging and managing these internal differences is crucial for stakeholders and policymakers to advocate effectively for policy change (Doussard & Fulton, 2020). This was also documented by other studies stating that although coalitions are generally stable over time deflection is not uncommon and memberships often change because of many reasons including major internal or external events that switch allegiances, like elections and strategic decisions by coalition actors to achieve short-term political objectives. It's essential for stakeholders to navigate these differences and find common points of agreement to present a unified front in advocating for policy change.

The timing of Bill S-228's introduction was also identified as a significant factor affecting policy change. Policymakers operate under significant time constraints and often do not have the luxury of taking their time to make decisions (Zahariadis, 2019). The timing of when a policy proposal is introduced can significantly impact its chances of success and the outcomes it achieves (Wamsler & Bristow, 2022). Policies that are introduced during periods of heightened public awareness and concern about a particular issue are more likely to gain traction and support (Wamsler & Bristow, 2022). This because policymakers are more likely to prioritize issues that are currently in the public spotlight and align with prevailing sentiments. Moreover, the timing of policy introduction can also be influenced by political cycles, such as elections or changes in government leadership (Wamsler & Bristow, 2022; Zahariadis, 2019). Policies that align with the priorities of ruling party or government leaders are more likely to be advanced during their tenure (Zahariadis, 2019). The role of timing extends beyond the introduction of policies and significantly influences the entire policy process. The various staged of policy implementation, formulation, enactment, and implementation are subject to specific time constraints and windows of opportunities that shape the overall trajectory and outcomes of policy initiatives (Zahariadis, 2019). Windows of opportunities refer to specific periods of time during which favorable conditions and circumstances align, creating a conducive environment for the advancement and successful implementation of policy initiatives (Zahariadis, 2019). These windows open opportunities for policymakers, advocates, and stakeholders to push for specific policy changes that might have been difficult or less feasible under different circumstances. However, these opportunities are often time-sensitive and can close if not seized in a timely manner (Levere, 2022). Hence, even though Bill S-228 was introduced at an opportune time aligning with growing concerns surrounding health issues and chronic disease (i.e., window of

opportunity), the duration of the consultation process has delayed the bill's progress as the time-sensitive window of opportunity was missed. Policymakers face multiple competing issues that demand their attention, and they must prioritize their efforts efficiently. This creates a sense of urgency to address policy matters promptly and effectively. Owing to biological and cognitive limitations, individuals can attend to only one issue at a time (Jenkins-Smith et al., 2018). In contrast, organisations and government can attend to many (though not infinite) issues simultaneously (Jones et al., 2016). Thus, because many issue are time sensitive and require immediate attention policymakers sense an urgency to address them and to as soon as possible (Weible & Sabatier, 2018). For Bill S-228, the long delays in the consultations process have definitely influenced the progress of the bill. Overcoming the issue of time constraints in the policy process requires a strategic and proactive approach (Levere, 2022; Weible & Sabatier, 2018). Policymakers and stakeholders can employ several strategies to effectively manage time limitations and maximize the changes of successful policy outcomes (Cairney & Olivier, 2017). Those strategies include early planning and preparedness, prioritisation and focus, effective communication, streamlining consultation processes, cross-department collaboration, setting realistic timelines and enhancing the capacity of policymakers and relevant stakeholder to navigate challenges more effectively (Cairney & Olivier, 2017; Weible & Sabatier, 2018).

The challenge posed by terminology debates in policy formulation is intricate and multifaceted (Cairney & Olivier, 2017; Howlett & Mukherjee, 2017; Weible & Sabatier, 2018). Divergent interpretations and understandings of key terms like "healthy" and "unhealthy" foods among stakeholders and interest groups led to conflicting opinions on establishing nutritional thresholds and classifying foods (Yin et al., 2009). These differences in understanding cascaded into broader debates which has delayed the process of policy change further (Howlett &

Mukherjee, 2017; Weible & Sabatier, 2018). More specifically, in the case of Bill S-228, time was spent during consultations making changes and amendments to definitions like "healthy", "unhealthy", what constitute "children" (e.g., less than 17 years old verses less than 13 years old) and using "marketing" instead of specifically addressing "food marketing". Researchers and experts often seek definitions that reflect the latest scientific knowledge and evidence (Jones et al 2019). They may advocate for definitions that accurately capture the nuances of those specific concepts, ensuring that policies are evidence-based and effective in addressing the intended issue (Jones et al., 2016). Politicians and policymakers are influenced by their constituents, party affiliations, and electoral cycles. They may react to definitions based on public sentiment, party platforms, and the potential impact on their re-election prospects. Definitions that resonate with their voter base and align with their party's stance may receive more support. Interest groups and non-governmental organisation (NGOs) often have specific agendas related to social, environmental, or ethical concerns (Jones et al., 2016). They may respond to definitions based on how well they align with their values and objectives. Industries often have vested interest in policy outcomes that affect their products and practices. If policy definitions are aligned with their business strategies, industry representatives may react positively. On the other hand, if definitions impose restrictions or regulations, industries may oppose them and seek to influence the framing of terms to their advantage (Jones et al, 2019). The complexity associated with terminology debates highlighted the importance of navigating them effectively to develop sound policies before a policy is even introduced. Policymakers must engage with various stakeholder and interest groups to understand their perspectives and concerns regarding terminology to avoid debates, disagreements, and delays (Cairney & Olivier, 2017). Finding common ground and

reaching consensus on key definitions can help streamline the policymaking process and enhance the policy's chances of successful implementation (Cairney & Olivier, 2017; Jones et al, 2019).

The role of evidence in policymaking was also highlighted. While evidence is critical, participants acknowledged that conclusive evidence may not always be available, especially for large scale outcomes and certain populations. A study done by Cairney and Oliver (2017) examined the dynamics between scientific evidence and policymaking, particularly in the context of health and public health policy. The authors concluded that policymakers often make decisions based not only on "evidence-based policymaking" but also on their own principles, values, beliefs, emotions, and familiarity with information. Additionally, when evidence is not always available, using precautionary evidence was suggested by participants. Precautionary evidence involves taking preventative and protective measures in the absence of conclusive evidence, plays a significant role in decision-making when scientific uncertainty exists (Persson, 2016). A study done by Monaghan et al. (2012) discussed that although precaution may be a barrier to evidence-based policy making, decision makers should not wait indefinitely for the backing of evidence when considering a policy change. In the context of Bill S-228, evidence played a pivotal role in understanding the potential impact of marketing practices on the health and well-being of children. Robust evidence demonstrated the associations between M2K and their negative impacts, as previously discussed. Policymakers rely on such evidence to justify the need for stricter regulations and advocate for policies aimed at protecting children from harmful marketing practices. The responsibility to generate and collect evidence lies not only with researchers but also with industries that may be affected by the policy changes (Sovacool et al., 2021). However, one should take the time to assess available evidence and compare different conclusions. For example, in 2016, Ad Standards' (e.g., industry research) reported 100%

compliance among CAI-participating companies when assessing the effectiveness of their self-regulation against M2K, while Potvin Kent et al (2018) (e.g., academic researcher) found over 30 non-compliant food ads when assessing compliance for the same period of time (Potvin Kent et al., 2022). This shows that evidence limit industry's ability to oppose or react to policy changes as concrete evidence will limits the effectiveness of industries counterarguments which will help address industry resistant with well-substantiated arguments (Sovacool et al., 2021). By relying on evidence, policymakers can craft more effective regulations that prioritise public health and are less susceptible to industry interference.

The aim of this chapter was to build on findings from the first two studies by interviewing stakeholders who were involved in the M2K and Bill S-228 policy process and shed light on their perspectives and experiences. The primary themes and findings were discussed along with their implications. The study also aimed to answer the following research questions: *Is the policy window on M2K still open, or has this opportunity passed? Can anything be done to 're-open' the window?* During conversations with the participants, it became evident that they collectively shared the belief that the window of opportunity had indeed closed for Bill S-228. However, a potential avenue for reopening the policy window for M2K in general was identified through the pursuit of alternative regulations, such as the one currently being discussed under Bill C-252. The emphasis here shifted towards advocating for the implementation of a comprehensive marketing regulation overseen by the government and supervised by an independent third party. This regulatory framework would be dedicated to curbing the marketing of unhealthy food and beverages to children across diverse media channels and child-centric settings, as delineated in Bill C-252. Further investigation for Bill C-252 should be done in

future research as Bill C-252 represents a change to protecting children from M2K similar to Bill S-228 (Kent et al, 2023).

4.4 Strengths and Limitations

The analysis of the interview data led to the identification of eight major themes, providing a comprehensive overview of the factors influencing the policy process related to Bill S-228. By adopting inductive thematic analysis, the study gained rich and contextual insights into the experiences of participants involved in M2K and Bill S-228. The use of key informant interviews enabled a nuanced understanding of the intricate dynamics involved in the policymaking process related to Bill S-228. This approach allowed participant to construct and narrate their experiences in their own words (Langley & Meziani, 2020).

Limitations included limited generalizability to broader populations or settings based on a small samples size. The data collected through key informant interviews rely on participant's self-reporting of their experiences, which may be influenced by memory, perceptions, or social desirability bias (Moore & Rutherfurd, 2020). The use of semi-structured interviews and the interview guide may inadvertently steer the conversation, potentially limiting the emergence of unexpected themes or viewpoints (Langley & Meziani, 2020). While the paper covers key themes related to the failure of Bill S-228, there might be other factors or dimensions that were not explored in the analysis.

4.5 Conclusion

The issue of childhood obesity is a pressing global health concern with profound implications for children's well-being and long-term health outcomes (Salama et al., 2023; Paquette et al., 2022; Norman et al., 2016). Childhood obesity has been intricately linked to various adverse effects, ranging from heightened mortality rates to the onset of chronic disease

like type 2 diabetes, hypertension, and coronary artery disease (Paquette et al., 2022). Beyond the individual health impact, childhood obesity places substantial economic burdens on healthcare systems and diminished overall productivity (Salama et al., 2023; Paquette et al., 2022; Norman et al., 2016). A significant contributor to childhood obesity is M2K, which profoundly influences children's food preferences, consumption patterns, and lifelong dietary behaviours (Norman et al., 2016). The persuasive techniques employed in marketing to children often promote calorie-dense and nutritionally inadequate products (Salama et al., 2023). The WHO has established that M2K has a detrimental effect on childhood obesity, making it imperative to limit children' exposure to such marketing tactics (WHO, 2015).

The call for action towards M2K has gained attention on the policy front, with Prime Minister Trudeau identifying children's marketing restrictions as a public health priority in his mandate letter to the Minister of Health (Trudeau, 2021). Various Canadian jurisdictions have approached the regulation of M2K differently, with Quebec implementing strict legal limitations on commercial advertising targeted to children under 13 years old, while the rest of Canada relies on industry led self-regulations (Potvin Kent et al., 2022). However, the effectiveness of self-regulation has come into question, with studies suggesting insufficient protection for children from marketing (Salama et al., 2023). In response, more stringent legislations like Bill S-228 was introduced to prohibit unhealthy food and beverage marketing directed at children under 13 years old ((i.e., Bill S-228, *The Child Health Protection Act*). However, the bill failed opposition and failed to become law (Government of Canada, 2015).

This paper has provided a comprehensive and insightful analysis of the failure of Bill S-228, shedding light on the challenges faced in regulating M2K and the dynamics of the policy-making process. The study's focus on interviews with relevant stakeholders adds credibility to

the findings, while the integration of existing literature situates the research within the broader

context of policy studies. The paper highlighted the nature of private member's bills, industry

influence, stakeholder involvement, timing considerations, terminology debates, and the role of

evidence as key factors influencing the bill's lack of success and the challenges faced in

regulating M2K. The constraints of private member's bills were evident, underscoring the

necessity of bipartisan support and cross-party coalitions to overcome resource disparities. It was

also found that industries strategically harnessed lobbying efforts, compelling narratives, and

tactics to postpone decisions, underscoring the urgency of addressing industry obstruction for

impactful policy implementation. The intricate landscape of terminology debates posed a

challenge, as different interpretations hindered policy formulation and emphasized the

importance of navigating these debates for effective policy design. The nuanced role of evidence

in policymaking was acknowledged, with policymakers considering not only conclusive

evidence but also principles, values, and believes. Finally, stakeholder engagement's promised

was emphasized, accompanied by the intricacy of aligning deserve values with coalitions while

seeking consensus.

 With the above in mind, the following Chapter will compile these findings, along with

findings from previous chapters, together to present comprehensive conclusions and

recommendations for guiding the development of future policy change process. Through the

careful consideration of these insights, policymakers can be better equipped to address the

challenges and complexity in regulating M2K effectively and enact policies that promote the

health and well-being of children.

Chapter 5 - Conclusion and Recommendations

Childhood obesity and overweight is a well-recognized global public health crisis with serious implications for the well-being and future of children (Moya, 2023). By the year 2020, approximately 39 million children under the age of 5 were dealing with issues of overweight and obesity (Vander Heijen et al., 2021). Moreover, over 340 million children and adolescents between the ages of 5 and 19 were living with the challenges of being overweight or obese (Moya, 2023). The main driver behind these concerning trends is a significant shift towards consuming highly processed and unhealthy diets (Vander Heijen et al., 2021). These diets include foods that are high in added saturated fat and/or trans-fat, sugar, or sodium (HFSS) (Vander Heijen et al., 2021; WHO, 2023). Multi-national food and beverage companies utilise sophisticated, pervasive marketing techniques through multiple channels to increase the sales and consumption of their products in a universal way across the globe (Al-Jawaldeh et al., 2020). The reach of this marketing is arguably greater now than any time in history due to globalisation and rapid increases in digital marketing (Barve et al., 2015). Children are particularly vulnerable to such marketing techniques and evidence shows that marketing impacts their preferences, requests, nutrition knowledge and dietary intake (Al-Jawaldeh et al., 2020; Smith et al., 2019). Despite being aware of the health risks linked with such diets, children are consistently exposed to aggressive marketing of unhealthy foods, creating a widespread and unavoidable influence (Gupta et al., 2022; Prowse, 2017). This exposure across various stages of life established social norms and cultivated a heightened preference for and consumption of unhealthy foods (Al-Jawaldeh et al., 2020). This pattern contributes to excessive weight gain, thereby increasing the risks of overweight, obesity, cognitive impairments, diminished quality of life, and the onset of

153

non-communicable disease among others (Al-Jawaldeh et al., 2020; Mulligan et al., 2023; Potvin Kent et al., 2022).

International organisations such as the WHO and the United Nations Convention on the Rights of the Child (UNCRC) have urged countries to take action by limiting children's exposure to marketing related to unhealth foods and beverages (WHO, 2018). The WHO emphasizes that the primary objective of any regulatory response should be to reduce the exposure to, and power of, unhealthy food and beverage marketing to kids (WHO, 2018). Some governments have attempted to address this issue through regulatory measures (Hawkes, 2007; Hawkes & Harris, 2011; Hay & GBD, 2015). There is a significant body of evidence available about current M2K restrictions and several countries have implemented voluntary measures to restrict M2K. Examples of these regulations include: the United Kingdom's regulations related to the content and placement of advertisements targeting children, ensuring that marketing messages are appropriate and not misleading (Hawkes, 2007). In Australia, the voluntary *Children's Code for Advertising Food and Beverages* sets out guidelines for food and beverages advertising that aim to encourage healthier eating habits and limit the promotion of unhealthy products (Galbraith-Emami & Lobstein, 2013). In Canada, most provinces, with the exception of Quebec, rely on self-regulation through the *Broadcast Code for Advertising to Children* and an industry-initiated *Children's Food and Beverage Advertising Initiative* (CAI) (Ad Standards Canada, 2020; Ad Standards Canada, 2022). A growing body of literature, however, indicates that voluntary self-regulation fails at protecting children from potential harmful effects of marketing and have been criticized as being ineffective at reducing M2K (Hawkes, 2007; Rachel, 2017; Ronit & Jensen, 2014). More specifically, research assessing the effectiveness of self-regulatory initiatives and voluntary measures in Canada revealed that despite industry's commitment to the CAI, the

majority of food and beverage ads viewed by Canadian children still promote products that are inconsistent with healthy dietary guidelines and companies don't often comply with the CAI (Boyland et al., 2022; Potvin Kent et al., 2023; Potvin Kent et al., 2018). A study published in the Canadian Journal of Public Health analyzed the nutritional quality of food and beverage ads targeted at children during children's programming. It found that a large majority of the advertisements (88%) promoted products that were classified as unhealthy based on recognized nutritional standards (e.g., candy without chocolate, chocolate bars, candy with chocolate, pancakes, and extreme energy drinks) (Pauzé & Potvin Kent, 2021). Another study published in the International Journal of Environmental Research and Public Health investigated the extent of compliance with the CAI's pledges among participating compagnies (Vergeer et al., 2019). The findings revealed that many companies did not fully adhere to their commitments under the CAI that considers advertisement to be directed to children if 35% or more of the audience is under age 12 years (Vergeer et al, 2019). In particular, a considerable number of companies had advertisements promoting unhealthy food choices that were broadcasted during children's programming. Potvin Kent et al. (2014) also found an increase in the average number of food advertising spots viewed by children on generalist television stations in Toronto by nearly 44% after the implementation of the CAI in 2011, as opposed to 2006. Additionally, broadcasters and companies' compliance with the Children Code and the CAI use a two-prolonged approach: annual industry spot checks and consumer complaints (Pinto et al., 2020). Significant differences have been reported in the literature between external researchers and industry0measured CAI compliance (Pinto et al., 2020). For example, in 2016, Ad Standards reported 100% compliance among CAI-participant companies, while Potvin Kent et al. (2018) found over 30 non-compliant food ads (Pinto et al., 2020; Potvin Kent et al., 2023). These findings suggest that relying solely

on voluntary initiatives and self-regulation is inadequate to address the pervasive influence of unhealthy food marketing on children (Pinto et al., 2020). The existing approach allows industry control over the content and targeting of advertisements, potentially compromising the effectiveness of such measures in promoting healthier dietary choices for children (Rachel, 2017; Ronit & Jensen, 2014).

There have been increasing calls from public health experts, advocacy groups, and researchers for more stringent government regulations to protect children from the impact of M2K (Harris et al., 2015; Kwon et al., 2019; Moodie et al., 2021). Stricter regulations would impose clear and standardized guidelines on the types of products that can be marketed to children, reducing their exposure to advertisements promoting unhealthy food choices and supporting the promotion of a healthier food environment for children (Raine et al., 2013). Moreover, such regulations would provide an opportunity for enforcement, accountability and monitoring that is lacking in voluntary self-regulation initiatives. When looking at statutory regulations, Quebec, for example, has enacted the *Quebec Consumer Protection Act* (QCPA) which prohibits commercial marketing directed at children under the age of 13 (Quebec Consumer Protection Act, 1978). This means that companies are not allowed to use tactics that specifically target young children, such as cartoon characters or toys, in their marketing, and there are also restrictions on misleading content, exploitation of emotions, and on advertising during children's programs or other media specifically designed for children (Billore et al., 2022; Coleman et al., 2022). This encompasses television programs, radio shows, online content, and other media platforms that have been tailored to cater children (Billore et al., 2022). Another example is the United Kingdom (UK) *Code of Non-broadcast Advertising and Direct & Promotional Marketing* (CAP Code) (Committee of Advertising Practice, 2010). The CAP Code

requires that advertisements targeted to children must be socially responsible and not exploit

their vulnerability or lack of experience. It prohibits misleading or harmful content, as well as

any direct encouragement to children to make a purchase or persuade their parents to do so. The

CAP Code also states that marketing communication should not condone or encourage unsafe

behaviour, unhealthy lifestyles, or poor nutritional habits (Chambers et al., 2015; Committee of

Advertising Practice, 2010). Similarly, in Chile, the government has implemented laws that

prohibit the use of cartoon characters and other marketing techniques that appeal to children in

the promotion of unhealthy foods (Mediano Stoltze et al., 2019). While not all policies and

approaches are explored in depth here, it's indicative that some countries have recognized that

M2K requires more strict regulations. There is growing evidence to suggest that such polices

may be more effective than voluntary self-regulation initiatives in reducing children's exposure

to marketing for unhealthy foods and beverages (Galbraith-Emami & Lobstein, 2013; Mulligan

et al., 2020).

More recently, Prime Minister Trudeau identified children's marketing restrictions as a

public health priority for Canada in his Mandate Letter to the Minister of Health following his

first election in 2015 (Trudeau, 2021). Specifically, he tasked then Minister of Health Jane

Philpott with introducing "new restrictions on the commercial marketing of unhealthy food and

beverages to children, similar to those now in Quebec" (Trudeau, 2021). In public health

parlance, Prime Minister Trudeau's call opened a children's marketing "policy window" (Potvin,

2012). A policy window refers to a relatively short period of time during which political

conditions, public opinions, and external events align to create an opportunity for a specific

policy issue to gain attention, be discussed, and potentially be adopted r implemented by

policymakers (Ronit et al, 2014). Ultimately, this resulted in a proposal in 2016, championed by

Senator Nancy Green Raine, to modify the *Food and Drugs Act* to impose federally mandated

restrictions on the marketing of HFSS foods to children under the age of 13, known as the *Bill S-*

228: Child Health Protection Act (Bill S-228) (Government of Canada, 2015). Bill S-228 sought

to amend the *Food and Drugs Act* by prohibiting unhealthy food and beverage marketed directed

primarily at children under 13 years old, across all potential marketing media channels and child

directed settings in Canada (Child Health Protection Act, 2016). In 2017, the bill was thoroughly

debated, reviewed, and passed by the Senate. It was then amended and passed the House of

Commons in September 2018 before being sent back to the Senate for its final vote to become a

law. However, despite support, it never made it past the third reading in the Senate and thus

failed to pass.

The first study of this thesis (chapter 2) aimed to describe current state of M2K and to,

more specifically, answer the following research questions: *What are the current practices for*

restricting M2K of food products based on global data? To accomplish this, a narrative literature

review using an *inductive* content analysis methodology was used. It's important to note that the

review did not seek to identify the optimal policy for implementation; rather, its central focus

was to offer a comprehensive review of various existing policies and their intended aims. The

review identified ten countries that regulate food and beverage marketing to children using one

of three major systems: mandatory and voluntary coregulation, mandatory regulations, or

voluntary regulation. The US (Harris et al., 2015; Kunkel et al., 2015; Otten et al., 2012; Powell

et al. 2013), Canada (Clark, 2007; Dhar & Baylis, 2011; Potvin Kent et al., 2018; Potvin Kent et

al., 2014; Potvin Kent et al., 2014; Potvin Kent et al., 2012; Vergeer et al., 2019), and Australia

(Brindal et al., 2011; Hebden et al., 2011; King et al., 2011; Watson et al., 2017) use both

mandatory and voluntary coregulation systems, while Chile (Carpentier et al., 2020; Jensen et al.,

2021; Mediano Stoltze et al., 2019), Slovenia (Lavrisa et al., 2020), Spain (Campos et al., 2016), South Korea (Kim et al., 2013), and the UK (Adams et al., 2012; Ofcome, 2008; Whalen et al., 2019) use mandatory regulations, and Germany (Brunmenstrabe, 2007; Landwehr & Hartmann, 2020) and New Zealand (Shen et al., 2022; Sing et al., 2020) use voluntary regulation. While the impact of these strategies varies, the challenges associated with M2K regulation, as well as the limitations of current research, warrant closer examination, mandatory regulation emerged as a more effective strategy in curbing exposure to M2K, as evidenced by various studies highlighting its capacity to yield greater reductions in such marketing while also addressing the limitations of voluntary and self-regulations. Many factors were deemed crucial if a government aims to implement and enforce a comprehensive mandatory policy. These factors include the age range of children sought for protection, specifying how marketing to this age group is defined, identifying which media are to be restricted, determining which forms of marketing are restricted, and agreeing on how to classify specific foods and beverages to be restricted. This literature review served as a foundation for the subsequent chapters.

The second study (Chapter 3) took a case study approach to investigate the policy change process of the *Child Health Protection Act* (Bill S-228) relying on two well recognized policy process theories: Advocacy Coalition Theory (ACT) (Sabatier & Jenkins-Smith, 1993) and Multiple Stream Theory (MST) (Kingdon, 1995). More specifically this study aimed to answer the following research questions: *What contributed to the failure of Bill S-228? Specifically, this question will explore what prevented Bill S-228 from passing a third reading in the Senate, despite passing initially? What enabling and limiting factors in the decision-making process contributed to this?* ACT and MST were further explored in Chapter 3, but in general, these theories aim to provide a framework for understanding the relationships among various concepts

related to the phenomenon being studied (e.g., Bill S-228). The concepts within a theory are related to each other in specific relational forms such as principles, hypothesis, and propositions (Cairney & Oliver, 2017). The goal of these relational forms is to help researchers make sense of complex systems by identifying the relationships between the key variables (Cairney & Oliver, 2017). It is important to note that the set of associations among concepts that is identified by a theory is only a limited subset of the much larger and complex set of associations that exist within the phenomenon being studies (Sainbury et al., 2017). Therefore, theories are not definitive or all-encompassing but rather provide a framework for understanding and explaining a particular phenomenon or topic within a certain scope of inquiry (Sainbury et al., 2017). By applying these theoretical lenses, a deeper understanding of the policy context and the interrelated factors influencing policymaker's decision regarding Bill S-228 was achieved. The ACT and MST helped illuminated policy system characteristics that were important factors impacting the development of Bill S-228 including stable parameters and systems events (e.g., evidence and industry lobbying), coalition influences (e.g., Stop Marketing to Kids, Heart & Stroke, and Childhood Obesity Foundation), policy window (e.g., Trudeau's Mandate Letter), entrepreneurs and environment (e.g., policy stream, politics stream, and problem stream). One of the central findings highlighted was the necessity of modifications to proposed restrictions within the failed bill. A significant consideration pertains to the age limit restriction, foods to be included, platforms diversity and types, consideration of the ever-evolving advertising landscape and establishing an effective monitoring system. The study also underscored the influential role industry lobbying has in the policy-making process. Industry stakeholders everted considerable influence, shaping policy agenda, content, implementation, and evaluation, thereby impacting policy success. the food industry's historical efficacy in lobbying was evident, leading to debates

on the sufficiency of voluntary industry-led regulations and the economic implication of the proposed bill. Moreover, the study delved into the dynamics of coalition influences, highlighting the efforts of advocacy groups like the Stop Marketing to Kids Coalition. Despite their efforts, these coalitions faced challenged in gaining sufficient influence over decision-making, underlining the complexities of coalition-building and the political barriers they encountered.

The third study (Chapter 4) aimed to build on findings from the first two studies by interviewing stakeholders who were involved in the M2K and Bill S-228 policy process and shed light on their perspectives and experiences. The study also aims to answer the following research questions: *Is the policy window on M2K still open, or has this opportunity passed? Can anything be done to 're-open' the window?* This Chapter begins with an overview of the methodology behind the interviews conducted with key stakeholders. It then reviews the primary themes and findings from the completed interviews based on participant's experience, followed by a discussion of the implications of these findings. The multifaceted nature of M2K and its implications prompted the exploration of diverse perspectives and factors that influenced policy development and implementation including the nature of the bill, industry influence, stakeholder involvement, timing, terminology debates, the role of evidence, framing of the issue and political influence. Overall, the constraints of private member's bills were evident, underscoring the necessity of bipartisan support and cross-party coalitions to overcome resource disparities. It was also found that industries strategically harnessed lobbying efforts, compelling narratives, and tactics to postpone decisions, underscoring the urgency of addressing industry obstruction for impactful policy implementation. The intricate landscape of terminology debates posed a challenge, as different interpretations hindered policy formulation and emphasized the importance of navigating these debates for effective policy design. The nuanced role of evidence

161

in policymaking was acknowledged, with policymakers considering not only conclusive evidence but also principles, values, and believes. Finally, stakeholder engagement's promised was emphasized, accompanied by the intricacy of aligning deserve values with coalitions while seeking consensus.

The comprehensive exploration undertaken in this thesis converges on several critical themes that offer a better understanding of the complex issue of M2K and Bill S-228. Regulating the exposure of children to marketing is a key area where governments can learn from other governments about designing robust policy interventions, in particular, the common barriers and enablers faced by those governments who have attempted to design regulations to restrict M2K (Sing et al., 2023). This research showed that designing and introducing marketing restrictions is politically and technically challenging. Among the challenges or barriers observed include whether to introduce a mandatory regulation or not; what age group to protect; what nutrient classification system to use; how to define terms like "children"; what mediums and settings to cover; and the role different coalitions can play. For example, resourceful industry coalitions opposing the governments approach to regulations by applying pressure on the policy process and by using different techniques that attempt to reduce the impact of the regulatory response on the core business function of those industries (e.g., lobbying). This illustrated the corporate influence in policy development for marketing restriction, as observed in the examination of Bill S-228's progression and eventual failure. Some enablers identified related to how the political will for regulation was enabled by strong policy champions (e.g., Senators), evidence by academics and pro policy coalitions (e.g., Stop Marketing to Kids Coalition). Moreover, findings underscore the intricate balance governments must strike between industry interests, public health concerns, and the well-being of children, all while navigating the

multifaceted landscape of policymaking and considering the evolving nature of marketing mediums.

5.1 Recommendations

In light of the findings and insights garnered from this comprehensive investigation, it is imperative to provide a set of recommendations that serve as informed guidelines for addressing the complex challenges and opportunities identified in the realm of this research. Recommendations were determined based on what was consistent with M2K literature. As such, the findings from the thesis results in five major recommendations – (a) Framing Public Health Issues: Societal Verses Individual; (b) Establishing Standardized Criteria and Definitions for Key Terms; (c) Identifying Potential Loopholes in Regulatory Frameworks; (d) Allocating Sufficient Resources and Capacities; (e) Leveraging Insights from Policy Change Theories. Each is discussed below.

5.1.1 Framing Public Health Issues: Societal Verses Individual

This research revealed the importance of framing obesity as a societal issue, rather than solely as an individual issue, as a crucial step in addressing and effectively combating M2K. Even though most research included was about obesity, it is worth noting that there are more chronic diseases associated with M2K beyond obesity (Elliott, 2019; Mulligan et al., 2021). Throughout history, society has consistently conveyed message to parents regarding how to feed their children (Mulligan et al., 2021). The most explicit guidance is provided during the period before the child is even born, emphasizing the importance of a mother's diet in promoting optimal fetal health (Elliott, 2019). Pregnant women are advised not to consume anything that may harm the developing baby and are encouraged to ensure they receive the necessary nutrients (Elliott, 2019; Mulligan et al., 2021). Similarly, societal messages regarding feeding infants and

163

toddlers also emphasize the significance of nutrition and health (Campbell et al., 2019; Potvin

Kent et al., 2022). Parent are encouraged to be cautious and selective in their children's diet

during their early years, opting for the best-quality ingredients (Campbell et al., 2019). However,

a significant shift occurs in societal messaging as children grow older. Rather than focusing on

the importance of proper nutrition for maintaining health, children became the targets of

marketing strategies (Campbell et al., 2019). In 2021, the expenditure on digital advertising

targeted at children was approximately 2.9 billion U.S. dollars globally (Potvin Kent et al, 2022).

It is projected that from 2021 to 2031, this spending will grow at an annual compound rate of

approximately 22 percent, reaching a substantial amount of 21.2 billion dollars by 2031 (Moya,

2023).

This shift in societal messaging poses challenges in promoting healthy eating habits

among older children (Moya, 2023). This discrepancy highlights the need for a more

comprehensive approach to address the impact of M2K. Health Canada also acknowledges that

obesity is not strictly an individual problem, but a broader societal issue influenced by

environmental factors (Health Canada, 2017). Health Canada promotes the notion that the

solution to prevent obesity is not a matter of eating less and exercising more. Factors such as the

availability and accessibility of affordable healthy food options, food marketing, and the

prevalence of sedentary lifestyles all contribute to the challenge of making healthy choices

(Health Canada, 2017). The influence of these environmental factors on individual behaviours

makes it clear that preventing obesity requires a multi-pronged approach involving stakeholders

and sectors (Health Canada, 2017).

By acknowledging the impact of environmental factors on obesity, policymakers and

stakeholders can foster a more comprehensive and collaborative approach towards finding

sustainable solutions. Viewing obesity as a societal issue also broadens the perspective and underscores the shared responsibility that different stakeholders hold in combating problems like M2K (Horsley, 2019). By highlighting obesity as a societal issue, it emphasizes the shared responsibility and accountability of individuals, communities, government, and other entities in addressing and mitigating the problem (Powell, 2019). By recognizing the role of these various actors, efforts can be directed towards creating a supportive environment that facilitates healthier choices and promotes overall well-being (Horsley, 2019).

Children are exposed to an estimate of 10 000 advertisements for food per year, 95% of which are for fast foods, candy, sugared cereal, and soft drinks (Harris et al, 2015; Galbraith-Emami & Lobstein, 2013; Elías Zambrano et al., 2021). Marketing of unhealthy products impacts on the preferences, purchases, brand awareness and consumption patterns of children which tracks into adulthood (Cairns et all., 2013; Elías Zambrano et al., 2021). Across the life course this leads to weight gain and an increased risk of overweight and obesity, cognitive impairments, reduced quality of life and non-communicable diseases (Moya, 2023). One example of health outcomes is the global prevalence of childhood obesity with 38.2 million children under 5 years of age with overweight or obesity (Moya, 2023). The WHO published a Set of Recommendations on the Marketing of foods and non-alcoholic beverages in 2010 that called for a robust response to M2K form Member States (WHO, 2012). Ten years on, very few governments have introduced a regulatory approach that fully operationalised the WHO recommendation despite a decade of further calls for action and research to support this action in this area (Sing et al., 2023). There is therefore a high level of policy inertia to address the food and beverage industry's marketing practices (Sing et al., 2023). By regulating M2K, governments have the potential to break the cycle of childhood exposure to marketing, which in

turn will alleviate the rising burden of childhood obesity and its far-reaching consequences on public health and well-being (Moya, 2023). Especially that the ineffectiveness of self-regulation within the food and beverage industry is notable. Despite voluntary efforts, studies consistently demonstrated that self-regulatory mechanisms have fallen short in meaningfully reducing children's exposure to marketing (Sing et al., 2023). The data underscore the urgency of regulatory intervention, as the current trajectory perpetuated the cycle of childhood exposure to detrimental marketing practices.

5.1.2 Establishing Standardized Criteria and Definitions for Key Terms

To ensure effective and transparent regulations, it is essential to establish clear, consistent, and specific definitions and guidelines that avoid confusion in the interpretation and application of key terms and concepts across different jurisdictions. For example, terms like "children" or marketing" may carry varying meanings and implications depending on the context, making precise definitions crucial to maintaining coherence and consistency in regulatory efforts. According to the World Health Organisation (WHO), government should set clear definitions for the key components of the policy, thereby allowing for a standard implementation process (WHO, 2010). This was observed during the consultation process of Bill S-228, in 2017, where the age-limit of Bill S-228 was amended from children under 17 years old to children under 13 years old (Mulligan et al., 2023).

According to Heath Canada, examples of definitions that need to be clear in the context of M2K include what constitutes "unhealthy foods and beverages", determining "children-directed advertising", identifying "market techniques and channels", and addressing "the issue of sponsorship exemptions" (Health Canada, 2022). During the consultation process with Health Canada regarding the regulations and guidelines related to M2K, for example, most contributors

- include various stakeholders who offered their input, opinions, and perspectives on the definitions and guideline related to M2K (Health Canada, 2022). These stakeholders could be representative from health organisations, advocacy groups, industry associations, government officials, experts in public health and nutrition, researchers, and other relevant parties. - agreed with the focus of the restrictions on nutrients of concerns (i.e., sodium, sugars, and saturated fats) when referring to "unhealthy foods and beverages" (Health Canada, 2023). However, some contributors indicated that the focus could be expanded to include other factors such as calories, level of processing, and portion sizes. Other contributors (e.g., industry stakeholders) opposed the focus of the restriction identified saying that some products like full fat dairy products that contain high sodium, sugar, and saturated fat still offer positive nutrients (Health Canada, 2022). Another example is Health Canada's proposed definition of "child-directed" for television and internet advertising (e.g., 6 am to 9 am and 3 pm to 9 pm on weekdays and 6 am to 9 pm on weekends). It received support by many contributors as simple and fair. However, industry stakeholders felt that the proposed definition was too broad due to a risk that advertising to adults would be inadvertently restricted (Health Canada, 2023).

The impact of new technologies and evolving marketing tactics cannot be overlooked and should be considered when defining "settings". With the growing prevalence of web platforms, emails, text messages, and social media, children are increasingly exposed to marketing content (Lagomarsino & Suggs, 2018). This digitally infused environment has seamlessly integrated marketing content into the very fabric of children's daily lives, exposing them to an unprecedented barrage of promotional material (Bernheardt et al., 2015). Hence, these platforms must be included in the scope of regulations to protect children from M2K across all digital channels. By addressing the digital dimension of M2K comprehensively, we not only

167

acknowledge the undeniable reality of contemporary childhood but also reinforce the need for

regulations that are committed to protecting children from the influence of marketing in the

digital spaces when developing new regulations.

5.1.3 Identifying Potential Loopholes in Regulatory Frameworks

Industries often employ various tactics and strategies to exploit potential loopholes in

marketing restrictions (Lyon & Maxwell, 2019). Loopholes refer to strategic methods and

techniques employed by industries to take advantage of gaps or ambiguities in regulations,

thereby bypassing the intended restrictions (Amul et al., 2021). Recognising the tactics used by

the industries is crucial in understanding their approach (Amul et al., 2021). Two of the main

approaches used by industries are: creating different narratives and opposing efforts (Amul et al.,

2021). When examining the different narratives crafted by industries, one prevalent narrative

center around the notion that obesity levels are decreasing, emphasizing that food consumption is

not the issue impacting the health of Canadians (Lyon & Maxwell, 2019). Instead, they redirect

attention towards physical inactivity. By doing so, industries aim to shift the focus away from the

impact of their products and marketing practices on public health. Even when looking at

literature, significant differences have been reported between external researchers and industry-

measures self-regulatory compliance (Lyon & Maxwell, 2019). Industry wants to showcase the

effectiveness of their self-regulation efforts, often emphasizing compliance to portray their

initiatives as successful and capable of addressing public health concerns (Francke & Carrete,

2023). This highlights the urgency of implementing comprehensive policies that prioritize

children's well-being over commercial interests. The United Nations Convention on the Rights

of the Child (UNCRC) has held that marketing of unhealthy foods and beverages can undermine

children's right to health by promoting and encouraging the consumption of products that

contribute to obesity, poor nutrition, and related health issues (Kraak et al., 2005; WHO, 2012). The WHO has made a number of recommendations for countries to help limit children's exposure to M2K and prevent childhood obesity (WHO, 2012). This thesis contributes to the growing body of knowledge that demonstrates the ineffectiveness of voluntary industry-led self-regulation on protecting children from the negative side effects of marketing. In light of the mounting evidence that have consistently shown that marketing is the main contributor in childhood obesity, it is imperative to enact robust regulatory frameworks that prioritize children's well-being over commercial interests (Deshpande et al., 2009; Francke & Carrete, 2023). Other narratives put forth by industries relate to job losses in manufacturing sites and agriculture, along with potential increases in the cost of groceries. These narratives suggest that stricter marketing restrictions should have adverse economic consequences, burdening Canadians with high expenses. Industries imply this narrative to evoke concerns about the potential negative effects of regulations on jobs and affordability. This approach aligns with their strategy to garner public sympathy and generate opposition to regulatory efforts by highlighting the potential negative effects of regulations or both job stability and affordability (Billore et al., 2023). While industries may argue that regulations could lead to job losses, its essential to consider the potential benefits that could arise from a shift towards healthier food options and a reduction in the marketing of unhealthy products to children. Moreover, studies have shown that the long-term societal costs of childhood obesity far outweigh any potential short-term economic impacts of regulations (Palacias-Marin et al., 2023). It is important to critically assess the scope of these narratives and recognize that the focus on obesity alone might not provide a comprehensive solution to broader public health challenges posed by unhealthy dietary patterns. While childhood obesity is a significant concern, it's just one facet of a larger landscape of diet-related

chronic diseases that impose a substantial burden on children and society (Hawkes et al., 2022; Pinto, 2020). Cardiovascular diseases, diabetes, and other metabolic disorders are also deeply intertwined with dietary choices and marketing practices (Nieto et al., 2022). Therefore, while addressing childhood obesity is crucial, it is equally important to widen the perspective and recognize that marketing practices influencing dietary habits extend their impact to a spectrum of diet-related chronic conditions. By broadening the regulations to all diet related chronic diseases, policymakers can better align their efforts with the broader goal of improving public health outcomes and reducing the burden of chronic disease across the populations. This entails shifting the narrative away from a narrow focus on isolated economic concerns and towards a comprehensive approach that acknowledges the interconnectedness of health, economics, and societal well-being.

In terms of opposition efforts, industries frequently employ the 4Ds technique: delay, deflect, divide, and deny (Nieto et al., 2022). These tactics are used to impede the policy process, manipulate decision-making, and challenge the effectiveness of proposed measures (Nieto et al., 2022). The first tactic is *delaying* the policy process. Industries often advocate for extended consultation phases, ostensibly to further assess the impact and effort requires. By prolonging the consultations, they create opportunities to influence the decision-making process, potentially resulting in weakened or diluted regulations (Nieto et al,, 2022). In relation to Bill S-228, industries advocated for extended time and protracted consultation phases under the guide of thorough assessment and consideration. By suggesting the need for additional time to evaluate potential impact of regulations, industries effectively prolonged the decision-making timeline. This extended period provided them with more opportunities to engage in lobbying efforts, exert pressure on policymakers, and present their perspectives, often potential negative economic

170

consequences or questioning the scientific basis of proposed regulations. Consequently, the process of developing and finalising the regulations was drawn out, allowing industries to strategically intervene and attempt to shape the policy in their favor (Nieto et al., 2022). This deliberate delay tactic aimed to weaken the regulations, dilute their impact, or altogether prevent their implementation by shifting the focus away from the urgency of protecting children's health.

Deflecting is a common tactic used by industries and involves reframing the issue to focus more on the impact on business rather than health concerns (Nieto et al., 2022). During the consultation process of Bill S-228, industries strategically shifted the discourse towards economic stability. This can involve tactics such as threatening job losses, mobilizing interest groups to display false outrage, or promoting voluntary initiatives as alternatives to regulations. By redirecting this narrative towards business implications, industries aim to shift attention away from the health consequences of their products and marketing practices (Pinto, 2020). Moreover, industries capitalized on the deflection technique by rallying various stakeholder to amplify their concerns about the economic aftermath of the proposed regulations (Nieto et al., 2022). Interest groups, trade associations, and even local businesses were encouraged to voice their apprehensions about the potential negative impacts on their livelihoods. This effort created a perception that the regulations were not merely about protecting children's health but could have far-reaching consequences for the broader economy (Rachel, 2017). This skillful deflection maneuver aimed to generate opposition by capitalizing on public fears about economic instability and further polarizing the debate surrounding Bill S-228. In line with the deflection strategy, industries also spotlighted their voluntary initiative as a response alternative to government-imposed regulations. By showcasing their initiatives as a proactive step towards self-regulation, they aimed to undermine the need for more comprehensive and mandatory restrictions. These

171

voluntary efforts were presented as a testament to the industry's commitment to addressing

concerns without governmental intervention, deflecting attention from the fact that self-

regulation have been proven to be ineffective at protecting children (Pinto et al., 2022; Potvin

Kent et al., 2022).

The *dividing* technique, in the context of lobbying and influencing policy, refers to the

strategy of creating divisions or disagreements among key stakeholders, decision-makers, or

groups with the goal of undermining a unified approach to a particular issue (Nieto et al., 2022).

This technique is often used to exploit existing differences of opinion, priorities, or values within

a legislation body to achieve their own objective (Sainsbury et al., 2017). Industries aimed to

persuade certain influential party members that the proposed marketing restriction (e.g., Bill S-

228) could result in adverse economic consequences and therefore, it was in the best interest of

party members to revaluate their stance. This divided party members by leveraging them and

their stakeholders to lobby internally to weigh perceived economic impact over known health

outcomes. This strategy works because party member and higher authorities often hold positions

of power and influence. Their opinion can sway the direction of policy discussions and decisions

it they are persuaded to prioritize economic considerations over health outcomes. Also,

politicians often consider their re-election prospects, public opinion, and party unity when

making decisions (Sainsbury et al., 2017; Pino et al, 2022). Politicians are driven by the desire to

remain in office and secure re-election. Industries can use media campaigns to highlight

economic risks creating public pressure on decision-makers to address these issues (Sainsbury et

al., 2017). This external pressure can influence how party members and higher authorities

approach the policy debate. If a regulation is portrayed as detrimental to local businesses or

employment, politician might be inclined to oppose it to maintain their electoral base (Nieto et

172

al., 2022). To counter the leveraging of party members and higher authorities, several strategies can be employed like promoting transparency in decision-making processes to expose attempts to divide. It is also important to present compelling evidence that supports the health and societal benefits of proposed regulations. Finally, engaging with party members and higher authority through informative sessions, discussions, and workshops.

Lastly, industries may engage in *denying* or undermining evidence related to health impacts (Nieto et al., 2022). They are casting doubt on the efficacy of proposed policies by questioning the reliability or validity of scientific research. Industries often highlight methodological limitations or disagreements among researchers as a means to undermine the solidity or scientific evidence by emphasizing the areas of uncertainty or gaps in knowledge (Nieto et al., 2022). Additionally, another common tactic is funding their own research and reports that present alternative results and policy options, aiming to create consultation and influence decision-makers to adopt less stringent measures. These studies might arrive at conclusions that downplay the negative health impacts of their products or suggest that alternative policies would be more effective. This conflicting information can create confusion and hesitation among decision-makers, making it more challenging to arrive at consensus (Al-Jawaldeh et al., 2020; Nieto et al., 2022).

To counter this denying tactic employed by industries, it is important for advocate of public health and evidence based policymaking to communicate clear evidence, encourage research from independent and reputable institutions to corroborate the findings, emphasizing the important of rigorous peer review processes to enhance the credibility of research and finally involve trusted experts and professionals who can help interpret complex scientific findings and address concerns raised by industries.

5.1.4 Allocating Sufficient Resources and Capacities

Resources and capacity play a crucial role in the policy process, impacting the effectiveness and efficiency of policy development and implementation (Pahl-Wostl, 2009). Adequate resources are necessary to conduct research, gather data, engage stakeholders, and analyze potential impact. Capacity refers to the ability of individuals and institutions to carry out these tasks effectively (Pahl-Wostl, 2009). Insufficient resources and capacity can hinder the policy process in multiple ways. Limited resources can restrict the availability of skilled personnel, infrastructure, and funding necessary for a comprehensive policy development (WHO, 2006). Without access to qualified individuals who possess the expertise to analyze complex issues, gather relevant data, and conduct thorough research, the policy process may lack the depth and sophistication required to address intricate problems (Frisch-Aviram et al., 2020). This can result in a lack of expertise and delays in conducting research, analyzing data, and formulating evidence-based policies. Insufficient resources can also lead to delays in policy development (Pahl-Wostl, 2009). Research, data analysis, stakeholder engagement, and the drafting of policy proposals all require dedicated time and effort. A shortage of resources can slow down these essential steps, prolonging the policy-making process and potentially missing windows of opportunities for addressing pressing issues (Frisch-Aviram et al., 2020; Pahl-Wostl, 2009). Delays can also erode the urgency and momentum behind policy initiatives, allowing other interests or priorities to take precedence. Moreover, the policy process often involves engaging various stakeholders, each with unique perspectives, interests, and expertise (Frisch-Aviram et al., 2020). However, insufficient resources can impede effective stakeholder engagement, limiting the diversity of perspectives and potential collaboration. Without the resources to convene and facilitate meaningful discussions, policymakers may fail to gather a comprehensive range of insights, potentially leading to policies that do not adequately address

the concerns of all affected parties (Frisch-Aviram et al., 2020). Partnerships between government bodies, research institutions, civil society organizations, and relevant stakeholder can pool resources, expertise, and insights to create a more comprehensive and informed approach to policy development. This can help offset resource constraints, ensure a diversity of perspectives, and counterbalance the disproportionate lobbying poser held by certain industries (Frisch-Aviram et al., 2020). By fostering collaborative environments and prioritizing resource allocation for policy development, policymakers can work towards a more equitable and robust policy-making process that serves the broad public interest, transcending the limitations posed by resource constrains and financial imbalances.

Power imbalance was apparent between industries and non-governmental organisation (NGOs) in the realm of advocacy and policy influence. Industries typically have greater financial, personnel, and organisational resources at their disposal, which enables them to allocate substantial time, effort, and funding to advocacy work (Frisch-Aviram et al., 2020). This resource advantage allows industries to consistently and persistently advocating for their interest, utilising their substantial resources to maintain a sustained presence and engagement in policy discussions. In contrast, many NGOs, despite their potential expertise and dedication to public welfare, face resource limitations that hinder their ability to effectively follow up on their advocacy effort again M2K leading to their concerns and perspectives potentially fading from policymaker's attention over time (Frisch-Aviram et al., 2020).

To ensure a robust and effective policy process, policymakers should prioritize allocating adequate resources and building capacity for policy development and implementation. This includes ensuring access to skilled personnel, funding, and infrastructure necessary for comprehensive research, stakeholder engagement and evidence-based policy formulation. Also,

delays in policy development due to resource constraints should be minimized by establishing efficient timelines and allocating sufficient resources for research, data analysis, and stakeholder consultation. Timely policy formulation is essential to address pressing issues and maintain momentum behind initiatives. Finally, to counteract the power imbalance between industries and advocacy groups, policymakers should foster collaborative environments that facilitate partnerships among government bodies, research institutions, civil society organisation, and relevant stakeholders. by pooling resources, expertise, and insights, a more comprehensive and informed approach to policy development can be achieved, ensuring diverse perspectives are considered and reducing the disproportionate influence of well-resourced industries.

5.1.5 Leveraging Insights from Policy Change Theories

Researchers have devoted considerable attention to unraveling the drivers of policy change. Initially, the policy cycle was proposed as a structured and sequential process that ensured successful policy outcomes (Folkvord & Vant Riet, 2018). This approach delineated stages such as agenda setting, formulation and adoption, implementation, evaluation, and termination, suggesting a linear path for policy proposal (Howlett & Mukherjee, 2017). However, over the past three decades, the policy cycle has faced criticism for its oversimplification and lack of accuracy in capturing the complexities of the policy process (Howlett & Mukherjee, 2017). Subsequently, evidence has emerged highlighting the need to embrace a non-linear perspective, acknowledging the dynamic nature of policy change (Howlett & Mukherjee, 2017). To address this, political science theories emerged that aim to elucidate the drivers of policy change and systematically navigate the complexities of policy making (Folkvord & Vant Riet, 2018). These theories have shown to be integral to critically analyze and comprehend what can be referred to as "effective policymaking" (Howlett & Mukherjee, 2017).

176

In this paper, the ACT and MST have helped illuminate a number of policy system characteristics that were important factors impacting Bill S-228 and the decision-making processes.

Both ACT and MST have demonstrated to have advantages and limitations. For examples, the ACT was helpful in recognising the significance of coalition building and the role shared beliefs, resources, and strategies among advocacy coalitions and the stability and persistence of advocacy coalitions over time. It acknowledges that policy change often occurs gradually and involves long-term efforts by coalitions to shape policy outcomes (Tandon et al., 2020). Additionally, it highlights how actors develop and modify their policy beliefs and preferences through ongoing exchanges of information, research findings, and experiences, leading to policy change over time (Tandon et al., 2020). In the case of Bill S-228, the main limitation of the ACT was that it may have oversimplifies the complex dynamics of policy making by focusing primarily on the interaction between advocacy coalitions. It may not have adequately capture other factors such as political dynamics, legislative processes, public opinion, institutional constraints, or the influence of individual policymakers. Additionally, the identification and categorization of advocacy coalitions, as well as measuring the impact of policy-oriented learning, can be subjective and difficult to quantify. The ACT's narrow focus on advocacy coalition might not adequately captured the complex interplay between these external factors and coalitions efforts. Furthermore, the ACT's assumption that advocacy coalitions are homogenous and united in their beliefs and strategies might not always hold true (Weible, 2023). Coalition members have differing priorities, strategies, and levels of commitments. In the case of Bill S-228, if coalition members had conflicting views on specific aspects of the proposed regulations, such differences could have influenced the coalition's overall effectiveness.

Acknowledging these internal dynamics within coalitions is essential for a more nuanced understanding of their impact on policy change.

Incorporating the ACT alongside the MST offered a more holistic perspective. The MST recognizes that policy change is influenced by the convergence of multiple streams: problem, policy, and political. While the ACT delves into the politics stream through its focus on coalitions, the MST highlights the significance of policy windows, where favorable political conditions align with the availability of policy proposals and problem recognition. The MST acknowledges the non-linear nature of policy change and allows for flexibility in understanding how policy issues are framed and decisions are made (Weible et al., 2011). It can accommodate various policy contexts and offers a useful framework for analysing policy change in different settings (Weible et al., 2011). The MST revealed how the issue of M2K gained public attentions, how a feasible policy solution was available (e.g., Bill S-228), and the how political climate was favorable and supportive for policy change. However, the MST fell short in explicitly addressing power relations and the distribution of power among actors in the policy process. It may overlook the influence of powerful interest groups, elites, or institutional factors that shape policy outcomes (Zahariadis, 2019). It also seems to focus more on the initial stages of the policy process and the emergence of new policies but provides less insight into the subsequent implementation, evaluation, and feedback loops that can influence policy change over time (Zahariadis, 2019). By employing both the ACT and MST to analyse the policy change surrounding Bill S-228, a more comprehensive understanding was achieved, and the limitations of each were mitigated and different perspectives were obtained, enabling a more nuances analysis. The analysis unveiled the necessity of refining proposed restrictions within the bill, considering age limit specifications, the scope of foods covered, the diversity of advertising

178

platforms, and the evolving advertising landscape. Additionally, the influential role of industry lobbying emerged as a central theme, shaping various aspects of the policy-making process from agenda-setting to implementations (Zahariadis, 2019). This influence prompted discussions on the sufficiency of voluntary industry-led regulations and raised concerns about potential economic ramifications (Zahariadis, 2019). The exploration of coalition influences offered valuable insights into the challenges advocacy groups faced in influencing the decision-making process of Bill S-228. Despite their efforts, the study illuminated the complexities of coalition-building and the hurdles encountered in navigating political barriers. Policy analysis should adopt an integrated approach that combines multiple theories to comprehensively understand the dynamics of policy change (Brown, 2020). While both ACT and MST provide valuable insights, it is essential to continually refine these theories to enhance their accuracy and applicability. The ACT's focus on coalitions could be expanded to account for a broader range of factors, including individual policymakers' influence, public opinion, and institutional constraints. This expansion will allow for a more comprehensive understanding of the policy process. Similarly, MST's inclusion of power dynamics, post-policy adoption stages, and broader contextual factors would provide a more comprehensive view of policy outcomes. Researcher should work to refine these theories to better capture the complexity of policy change.

5.2 Strengths and Limitations

5.2.1 Strengths

A major strength of our study was the integration of multiple studies, each illuminating distinct but complementary facet of the M2K issue and Bill S-228. By employing various methodologies and theoretical frameworks, these studies contribute valuable insights into the dynamics of policy change. The literature evidence review served to capture a broad range of

perspectives on M2K practices allowed for a comprehensive understanding of the existing

literature which acted as a foundation for subsequent analysis. The theoretical grounding, applied

by ACT and MST theories, provided a robust framework for exploring the intricacies of policy

change (Howlett et al., 2017). All of which were complemented and asserted by key informant

interviews who shared their experiences and insights firsthand, thereby enriching the narrative

with contextual nuances.

The methodological rigor adopted across studies bolsters their credibility and enhances

the validity of their findings. The systemic literature review, and deductive analysis ensured a

systematic approach to data synthesis in the first two studies. In the third study, inductive

thematic analysis of interview data granted an intimate perspective into participants' lived

experiences. This triangulation of methodologies lent depth and diversity to the overall research

endeavor, bolstering the robustness of the insights generated (Levere, 2022).

5.2.2 Limitations

Despite the strengths inherent in these studies, certain limitations warrant consideration.

The narrative review of M2K practices encountered challenges due to the heterogeneity in

approaches, definitions, and analytical methods employed across studies. While efforts were

made to synthesis a coherent narrative, the diversity in research designs and methodologies

introduced an element of complexity into the review process. Similarly, the reliance on

observational studies within the first study introduced inherent limitations in establishing causal

relationships (Bennett, 2004). Confounding factors and contextual nuances may have influenced

the observed outcomes, highlighting the need for cautious interpretation (Bennett, 2004).

However, similar conclusions were achieved when speaking to participants which is a good

indicator of similar themes populating in all three studies which all correspond together.

The application of policy process theories like ACT and MST, while enhancing the analytical framework, also comes with inherent constraints. The theories may not fully capture the dynamic interplay of external factors beyond advocacy coalitions, potentially overlooking influential factors such as public opinion for examples (Van der Heijden et al., 2021). Moreover, the use of deductive analysis based on established theories might have limited exploration of novel or emerging explanation factors for policy outcomes (Pierce et al., 2017). However, to mitigate this limitation, the use of two different theories to assess the same data was helpful in overcoming the potential bias introduced by a single theoretical framework. Additionally, there are strong commonalities between political science theories and system thinking that suggest the utilisation of this qualitative data. Previous studies have successfully employed these theories and demonstrated their effectiveness in understanding policy dynamics (Howlett, 2019; Pierce et al., 2017; Van der Heijden et al., 2021). The strength and applicability of these theories in analysing policy processes support their use in this study despite the limitation of not explicitly adopting a systems perspective (Van der Heijden et al., 2021). Furthermore, the study faces a limitation in determining the relative importance of factors influencing Bill S-228. The inability to identify the contribution of each variable to a particular outcome is a characteristic limitation of case study research (Yin, 2009). Therefore, the study can only draw conclusions about the collective importance of the identified factors. The inability to identify how much each variable contributed to a particular outcome is a limitation of case study research (Yin, 2009). Therefore, no conclusions can be drawn about the causal significance of the different themes.

Utilising key informant interviews excelled in capturing contextual nuances, but it also introduced limitations (Adeoye-Olatunde & Olenik, 2021). The data collected relied on participant self-reporting, which can be influenced by memory biases, perceptions, and social

desirability effects. Additionally, the use of a semi-structured interview guide might have inadvertently directed discussions, potential limiting the emergence of unexpected themes or perspectives. This was mitigated by allowing participants to share their experience by using open ended questions (Adeoye-Olatunde & Olenik, 2021).

Despite efforts to gather insights from relevant stakeholders involved in the M2K and Bill S-228 policy process, the sample size obtained was relatively small. This limitation could potentially impact the comprehensiveness and diversity of perspectives captured in the study (Adeoye-Olatunde & Olenik, 2021). While considerable effort was made to expand recruitment, for a variety of reasons, including pandemic fatigue, there was less uptake than anticipated. Several potential participants indicated interest but never arranged for an interview.

Moreover, some potential participants were inaccessible, such as politicians, political advisors, and representatives from the industries involved in M2K. The absence of these key stakeholders in the interviews may have restricted the range of perspectives gained and limited the insights into their specific roles and influences in the policy process (Adeoye-Olatunde & Olenik, 2021). Their perspectives could have provided valuable insights and a more completed understanding of the dynamics surrounding M2K policy development. This situation can potentially be attributed to various factors that have led to the limited accessibility of certain participants. One plausible explanation could be the concurrent consideration of a closely related legislation proposal (e.g., Bill C-252). It is conceivable that individuals with expertise and vested interests in the field of M2K policy are directing their attention and engagement towards this parallel legislation process. The overlapping nature of these legislative initiatives could result in the prioritization of involvement in one over the other, thereby affecting the availability of participants for the current study. Furthermore, another contributing factor could be the

engagement of potential participants in a comparable academic investigation occurring at a different academic institution focused on the examination of Bill S-228, hence individuals who are key stakeholders in the policy domain may have already committed their participation to that study. This dual involvement could potentially create constraints on their availability for additional research projects, thereby limiting their engagement with this study (Adeoye-Olatunde & Olenik, 2021).

5.3 Future Research

This study offers various avenues for future research expansion to fill critical knowledge gaps in the Canadian literature on M2K. For example, Health Canada in 2023 released a new policy update that "proposes an approach to restricting the marketing of food and beverages to children, starting with marketing on television and digital media" (Health Canada, 2023, p.3). Health Canada's approach places priority on media platforms frequently accessed by children, where they encounter significant exposure to food marketing, such as commercials aired during children's programs or on children's websites (Health Canada, 2023). According to Health Canada, this update signifies a crucial initial measure in curbing the marketing of specific foods and beverages to children, aiming to safeguard them from the health risks associated with an unhealthy diet, both in the present and future (Health Canada, 2023). While the main purpose of this study was to investigate M2K and the policy process of Bill S-228 more specifically, it would be interesting to make a comparison between what Health Canada is currently proposing with the developmental trajectories of both Bill S-228 and Bill C-252. Bill C-252 is a private member's bill introduced by Liberal MP Pattricia Lattanzio in the House of Commons. The bill aims to amend the Food and Drugs Act to prohibit food and beverage directed at children. It is an opportunity to reopen the policy window on M2K after the failure of Bill S-228 (Mulligan,

2023). This comparison can provide insights into similarities and differences in their objectives and proposed strategies which can shed the light on the progress made in addressing the issue of food and beverage M2K highlighting lessons learned and potential areas for improvements. This research can inform future policy decisions and contribute to the development of evidence-based guidelines for regulating food marketing to promote healthier eating habits among children. The comparative assessment also brings to light the dynamic interplay between policy development and the broader societal landscape.

5.4 Conclusion

Childhood obesity emerged as an important worldwide public health concern with implications on the health of children (Moya, 2023). Childhood obesity has been linked to a multitude of adverse health outcomes, from increased mortality rated to the development of chronic diseases such as type 2 diabetes, hypertension, and coronary artery diseases (Moya, 2023). The alarming statistics and trends presented in this study underscore the urgency of addressing this issue. One key contributing factor to childhood obesity is M2K as it affects children's food preferences, consumption patterns, and long-term dietary habits (Moya, 2023). Children are particularly vulnerable to the persuasive tactics used in marketing, which often promote calorie-dense and nutritionally poor products (Moya, 2023). In 2007, the World Health Assembly recognized the impact of M2K and called for a set of recommendations for members states to address this issue (WHO, 2012). The goal was to create a global framework that would promote healthy diets and prevent childhood obesity by regulating the marketing of unhealthy foods and beverages to children (WHO, 2012). Following this call to action, by 2010, different countries around the world had published policies on M2K (Al-Jawaldeh, 2020; Kelly et al., 2019). These policies included a variety of approaches, including statutory controls, industry-led

self-regulations, and co-regulation arrangements. Statutory controls are government-enforced

regulations that restrict the marketing of certain products to children (Boyland & Halford, 2013).

Recent data clearly demonstrated that despite the voluntary commitments made by the industry

to regulate their marketing practices, the persistence of unhealthy food advertisements targeting

children remains rampant (Potvin Kent et al., 2022; Pino et al., 2022; Russell et al., 2020). The

self-regulation framework, due to its inherent reliance on voluntary compliance from advertisers,

have proven to be ineffective at protecting children from marketing (Potvin et al, 2023). The

limitations of current marketing practices have led to multiple calls from a wide range of

stakeholder groups including researcher, health advocacy groups, and the public or stronger

government intervention and mandatory regulations to protect children from the harmful effects

of M2K (Chung et al., 2012).

Mandatory regulation emerged as a more effective strategy in curbing exposure to M2K,

as evidenced by various studies highlighting its capacity to yield greater reductions in such

marketing while also addressing the limitations of voluntary and self-regulations (Elliott, 2018;

Potvin et al., 2023; Mulligan, 2023). However, many factors were identified as crucial if a

government aims to implement and enforce a comprehensive mandatory policy that aligns with

their own identified goals or that align with the recommendations set out by the WHO. These

factors include the age range of children sought for protection, specifying how marketing to this

age group is defined, identifying which media are to be restricted, determining which forms of

marketing are restricted, and agreeing on how to classify specific foods and beverages to be

restricted. By drawing on well-recognised policy process theories such as ACT and MST,

additional factors were highlighted like the necessity of modifications to proposed restrictions

within the failed bill. A significant consideration pertains to the foods to be included, platforms

diversity and types (consideration of the ever-evolving advertising landscape), establishing an effective monitoring system, and the role of industry lobbying. Industry stakeholders everted considerable influence, shaping policy agenda, content, implementation, and evaluation, thereby impacting policy success. The food industry's historical efficacy in lobbying was evident, leading to debates on the sufficiency of voluntary industry-led regulations and the economic implication of the proposed bill (Al-Jawaldeh et al., 2020). Finally, during the interviews with key informants about M2K and Bill S-228, more factors were highlighted related to the nature of private member's bills, stakeholder involvement, timing considerations, and the role of evidence. The constraints of private member's bills were evident, underscoring the necessity of bipartisan support and cross-party coalitions to overcome resource disparities (Al-Jawaldeh et al., 2020). It was also found that industries strategically harnessed lobbying efforts, compelling narratives, and tactics to postpone decisions, underscoring the urgency of addressing industry obstruction for impactful policy implementation. The intricate landscape of terminology debates posed a challenge, as different interpretations hindered policy formulation and emphasized the importance of navigating these debates for effective policy design. The nuanced role of evidence in policymaking was acknowledged, with policymakers considering not only conclusive evidence but also principles, values, and believes. Finally, stakeholder engagement's promised was emphasized, accompanied by the intricacy of aligning deserve values with coalitions while seeking consensus.

This comprehensive investigation delved into the intricate landscape of M2K and the policy process surrounding Bill S-228. The integration of multiple studies, each employing diverse methodologies and theoretical frameworks, has yielded an array of illuminating insights into the dynamics of policy change and the challenges associated with addressing M2K. This

study's robustness stemmed from literature reviews, deductive and inductive analyses, application of policy change theories, and key informant interviews, fostering a comprehensive understanding of M2K more generally and Bill S-228 more specifically. This paper also shed light on the policy change process with the help of ACT and MST. The recommendation emerging from this research underline critical guidelines for tackling the multifaceted challenges and opportunities intrinsic to M2K. Framing M2K as a societal issue, establishing standardised definitions and identifying regulatory loopholes stand as pivotal steps towards effective policy implementation. Moreover, uniting stakeholders, allocating adequate resources, and leveraging insights from policy change theories can fortify the regulatory framework, counter industry tactics, and enhancing policy outcomes.

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Appendices

Appendix A: Adapted Clark and Colleagues (2021) Coding Framework

Political Science Theory	Code in political science theory	Sub-codes from political Science theory	Definition from the literature
Multiple Streams Theory	Bounded rationality		"Individuals have computational and cognitive limitations. Therefore, attention and search processes are neither costless nor complete" (Zahariadis, 2016, p. 157). "In sum, bounded rationality makes assumptions about individuals and the environment (Simon 1957) and essentially views policy-making as a problem of individual decisions and institutional aggregation." (Zahariadis, 2016, p. 158)
	Policy entrepreneurs	-	"…are individuals or corporate actors who attempt to couple the three streams. While individuals are mostly conceptualized as entrepreneurs, it is quite often the case that particular organizations, not just their individual representatives, are behind the push for certain policies." (Zahariadis, 2014, p. 35)
	Policy window	Policy windows generally	Fleeting "opportunity/ies for advocates of proposals to push their pet solutions, or to push attention to their special problems" (Kingdon, 1995, p. 165)
		Spillover and feedback	Spillover and feedback can open windows of opportunity. These "…can occur through monitoring, evaluation, consultations (systematic); or informal feedback (through complaints, caseworkers; bureaucrat experience in implementation. Feedback can also include the cost of programs-sometimes programs can be so

			costly that implementers rethink future investment in such initiatives….Spillover relates to how the successful implementation in one area may facilitate the adoption of the same solution in a seemingly unrelated area." (Zahariadis, 2014)
	Policy stream	Ideas	Ideas are policy options that are generated by specialists in policy communities. Ideas are put forward by networks, groups and policy entrepreneurs and coupled with policy problems in order for them to be adopted as policy (Zahariadis, 2014). Hence data coded here includes how policies are framed in order to be adopted.
		Issue framing	Issue framing or problem representation makes a difference in what people perceive as losses or gains and therefore their propensity to support policy change. The presentation of an option as a loss relative to the status quo tends to bias choice, with people generally being loss averse in the sense that losses loom larger than gains.
		Policy communities	"Policy communities are networks that include bureaucrats, congressional staff members, academics, and researchers in think tanks who share a common concern in a single policy area, such as health or environmental policy—and are assessed in various forums and forms, such as hearings, papers, and conversations" (Zahariadis, 2014, p. 33)
		Resource adequacy	Refers to financial and other resources being available to support the proposed policy to progress (Zahariadis, 2014, Zahariadis, 2016)

		Softening up	Softening up is where ideas are floated, policies are introduced in parliament, public announcements are made, and proposals are re-drafted, then amended in response to reaction and floated again. (Kingdon, 1984, p. 123). This is similar to the bargaining in the politics stream by is more the processes required to gain acceptability of the process, rather that the political actions of bargaining or negotiations.
		Technical feasibility/ viable alternatives	Data relevant to technical feasibility, which is synonymous with viable alternatives in earlier versions MST, could include work undertaken to increase the implementability of the initiative, comments regarding the receptivity from implementation partners towards the policy, things put in place (i.e. committees, agreements) to increase feasibility.
		Value acceptability	Policy alternatives that do not conform to prevailing norms or the values of policymakers are less likely to be considered for adoption (Zahariadis, 2014). Therefore, this code is for any content that references the values of decision makers or where it can be inferred that value acceptability was considered by policy actors, or policy actors altering their framing to conform in order to meet the value acceptability of important stakeholders.
	Politics stream	National mood/ public opinion	"The national mood refers to the notion that a fairly large number of individuals in a given country tend to think along common lines and that the mood swings from time to time. Government officials sensing changes in this mood, through, say, monitoring public

			opinion polls, act to promote certain items on the agenda or, conversely, to dim the hopes of others. In addition, politicians often view the support or opposition of interest groups as indicators of consensus or dissent in the broader political arena." (Zahariadis, 2014, p. 34). Hence, any content that explicitly or implicitly notes public perceptions is relevant here. * Whilst all media articles could have been coded here given their role in representing or influencing public opinion, only the clear statements of *opinion* within media articles were coded to this node.
		Organised political interests (groups and networks)	Refers to party ideology, as well as how political groups operate to advance their policy preferences.
		Turnover and jurisdictions	Turnover is in reference to changes in the governing party/ leaders and the jurisdiction refers how the responsibility of policy issues is distributed. These Jurisdictional boundaries are frequently unclear, and battles between different departments or agencies can occur (Zahariadis, 2014). This primarily refers to government party turnover however turnover within political organisations can also be political and hence such relevant is also coded here.
		Consensus building/ bargaining	Consensus building like softening up in the policy stream refers to the process of persuasion and diffusion among political actors. "If an idea survives scrutiny according to a set of criteria for survival, it diffuses within the policy community….The processes which set bandwagons in motion are radically different in

			the two streams. In contrast to the policy's streams emphasis on persuasion, the political stream consensus building is governed by bargaining." (Kingdon, 1984, p. 167)
	Problem stream	Indicators	Indicators assess the existence and magnitude of a condition/problem and the scope of change (e.g. mortality, prevalence of obesity) (Zahariadis, 2014).
		Focusing events	Focusing events draw attention to problematic conditions. The media or policy entrepreneurs seek to elevate issues in response to focusing events. For example, natural disasters or policy changes for external jurisdictions that significantly impact other areas (Zahariadis, 2014).
		Problem definition	Values play a role in problem definition and whether something is determined to be appropriate for government intervention. This node therefore refers to any recognition of the problem or influences on problem definition (e.g. values) and how these are shaped (Kingdon, 1995).
		Problem recognition	Content coded here includes where the policy problem was recognised but also when problem recognition did not occur and therefore this impacted the policy development and adoption process (Kingdon, 1995).
Advocacy Coalition Framework	Stable Parameters	Basic attributes of the problem	Are usually stable characteristics such as the geographical location of the policy system, the population etc. (Jenkins-Smith, 2014)
		Basic constitutional structure (rules)	This refers to the relationships between multiple levels of government and how these apply to the policy system. This also includes how the structures impact

			decision-making authority and opportunity. (Jenkins-Smith, 2014)
		Basic distribution of resources	This refers to how resources are distributed across different groups or sectors in relation to the policy issue. (Jenkins-Smith, 2014)
		Fundamental values of social structure	This refers to data that highlights the higher order socio-cultural values that dominate the policy context. For example, in the USA, sociocultural values emphasise limited government and the protection of personal liberties. Australia is perhaps more egalitarian than the US but exhibits sociocultural values that are more conservative than Nordic countries. (Weible and Sabatier, 2006)
	External system events	Changes in public opinion	Any data that exhibits considerations of changes in public opinion. This may include the perceived changes in public opinion referred to by policy actors (Weible and Sabatier, 2006).
		Changes in socio-economic conditions	This refers to data that demonstrates changes in socio-economic factors that impact the policy system (Weible and Sabatier, 2006)
		Changes in systemic governing coalitions	Involves the replacement of one coalition by another or a significant shift in the balance of power between the coalitions (e.g. following elections) (Cairney, 2012, 209). The later may occur as a result of a policy broker actions (Cairney, 2012)
		Policy decision and impacts from other sub-systems	Policy decisions from other subsystems may impact the behaviours of policy actors within the system under study (for example policy decisions in other policy systems may influence

			resource availability, or changes in tax law normally have major (largely unintended) impacts on numerous other subsystems (Sabatier, 1998, p. 103)
	Coalition A- Pro-policy

Coalitions need to share similar policy core beliefs and engage in nontrivial degree of coordination. (Weible and Sabatier, 2006) | Core beliefs *see appendix for examples | "These are in regard to an actor's underlying personal philosophy" (Sabatier, 1993, p. 30) and are often expressed as a point on the left/right wing continuum. "Examples include: beliefs on whether people are evil or socially redeemable; how we should rank values such as freedom and security; and whose welfare should count the most" (Sabatier, 1998, p. 103) (Sabatier, 1998: 103) e.g. individual rights vs social rights or socio-cultural identifies (e.g. ethnicity and religion) (Sabatier and Jenkins-Smith, 1999). |
| | | Policy beliefs *see appendix for examples | "Are normative/empirical beliefs that span an entire policy subsystem"(Weible and Sabatier, 2006, p. 127). These are still very resistant to change but tend to be more malleable than core beliefs (Weible and Sabatier, 2006). Examples include the perceptions and causes of subsystem-wide problems (Sabatier and Jenkins-Smith, 1999, cited in Weible and Sabatier 2007). |
| | | Secondary beliefs *see appendix for examples | Relate to policy preferences regarding a subcomponent of a policy subsystem. For example, preferences for specific government tools for achieving objectives (Weible and Sabatier, 2006). Secondary beliefs of coalition members may be different/ contrasting but policy and core beliefs are generally always consistent. |

		Resources	These resources include: (1) formal legal authority to make decisions, (2) public opinion, (3) information, (4) mobilisation of troops, (5) financial resources, and (6) skilful leadership (Sabatier and Weible, 2014b, p. 201-2). The ACF predicts that stakeholders will strategically use their resources to influence policy in various venues (Weible, 2011). **Public opinion:** Public opinion. Opinion polls documenting support for the policy views of advocacy coalitions are a major resource. A coalition with strong public support can argue that it represents the public interests, which can be used to lobby new legislation, to press for changes in rules and regulations, and to shift resources to the coalition's cause. A supportive public is also likely to elect coalition supporters to positions of legal authority. Consequently, stakeholders within the subsystem typically spend a lot of time trying to convince the public to support their advocacy coalition's policies and candidates. **Information:** "…The ACF views information as political salvo to win policy disputes. The ACF assumes that information is utilized by stakeholders to buttress their coalition's membership, to argue against the policy views of an opposing coalition, to convince decision-making sovereigns to support their positions, and to influence public opinion. In this effort, stakeholders might spin or

| | | | even distort information to their advantage. Having better information than opponents does not guarantee a policy victory, but it does force opponents to expend additional resources to neutralize the advantage (Sabatier and Weible 2005). This is one of the reasons why the ACF spotlights the role of analysts, researchers, and consultants within coalitions. It also explains why analysis at the policy subsystem level is helpful in explaining the use and effect of policy analyses, reports, and scientific and technical information (Sabatier and Zafonte 2001)." (Weible, 2007, p. 100)

Mobilisation of troops: "The political outcomes often hinge on the mobilization of public supporters and the expansion of conflict (Baumgartner and Jones 1993). Coalitions periodically ask supporters from the general public to participate in events to help achieve objectives. Supporters might be asked to engage in letter-writing campaigns, to provide labor in electoral and fund-raising campaigns, and to participate in public demonstrations and other activities. In fact, coalitions with minimal financial resources typically rely very heavily on mobilizable troops, especially when a coalition's interests are threatened by reductions in government-sponsored benefits or additional government oversight and regulations." (Weible, 2007, p. 100)

Skilful leadership: The literature on policy entrepreneurs |
|---|---|---|---|

			demonstrates how skilful leaders can help navigate a coalition toward policy victories (Kingdon 1994). In fact, public policy research describes how most antecedents to policy change—for example, external shocks—dispose a political system to change, but skilful entrepreneurs are needed to bring about actual changes in policy (Kingdon 1994; Mintrom and Vergari 1996). Coalition leaders help articulate a coherent belief system for other coalition members, thereby strengthening their resolve and focus. Leaders also attract additional resources to their coalition, which offer more strategic choices and open venues to influence policy (Mintrom and Vergari 1996; Muller 1995).
	Coalition B-Anti-policy	Core beliefs	As above in Coalition A
		Policy beliefs	As above in Coalition A
		Secondary beliefs	As above in Coalition A
		Resources	As above in Coalition A

Appendix B: Snapshot of the organization of included articles for Bill S-228

Appendix C: Snapshot of coding organization for Bill S-228 via Excel

Appendix D: Email Recruitment for Interviews

Hello,

We have received your email address from the **[insert organization]** website. We would like to invite you to participate in a study that we, Jacob Shelley and Lin Jawhar, are conducting to investigate Marketing to Kids and more specifically the Child Health Protection Act (Bill S-228) using political science theories, namely the Advocacy Coalition Theory and Multiple Stream Theory. Briefly, the study will involve asking you about your opinion about marketing to kids and what contributed to the failure of Bill S-228 on behave of [**insert organization**]. This will be done through a Zoom interview, which will be around 45 – 60 minutes.

Attached to this email is a letter of information which outlines more details about the study. For any further questions or to set up a time for a potential interview, please contact Lin Jawhar at the contact information below:

Email:
Phone number:
Affiliation: Fourth year PhD Candidate at the University of Western

Thank you,

Jacob Shelley
Western University

Lin Jawhar
Western University

Appendix E: Letter of Information for Interviews

Letter of Information and Consent

Project Title:
Understanding Unhealthy Marketing of Food and Beverages to Children in Canada: An
Investigation using Political Science Theories.

Document Title:
Letter of Information and Consent

Principal Investigator + Contact:
Dr. Jacob Shelley
Western University

Additional Research Staff + Contact:
Lin Jawhar
Western University

1. Invitation to Participate

You are being invited to participate in this research study about marketing of unhealthy food and beverages to children in Canada. You are being invited because of your position to provide detailed insight on marketing to kids and first-hand experience into the policy processes related to Bill-S228 that will help in giving insight onto the policy making process of the Child Health Protection Act (Bill S-228).

2. Why is this study being done?

This study is being done to assess and evaluate the current state of M2K and to investigate why, despite initially passing through the Senate and then through the House, Bill S-228 failed to become law by conducting three studies. The first study will be a narrative review to investigate current state of M2K, the second study will be to investigate the policy making process of Bill S-228, using multiple theories of the policy process. Since the use of one theory provides a "partial explanation of the policy process", multiple theories of the policy process will be used, specifically, the Advocacy Coalition Theory and the Multiple stream Theory. Finally, a third study which will be the semi-structured interviews with stakeholders involved in M2K in Canada will be undertaken, with a specific focus on talking with those that worked on and/or have evaluated Bill S-228. The aim of the semi-structured interviews is to complement findings from studies 1 and 2.

This work will contribute to the obesity prevention policy evidence and more specifically, this research will provide an opportunity to answer the following research questions:
1) What are the current practices for restricting M2K of food products based on global data? And what do we know about their effectiveness?
2) What contributed to the failure of Bill S-228?
    i. What prevented Bill S-228 from passing third reading in the Senate?
    ii. What are the enabling and limiting factors in the decision-making process that contributed to this?
    iii. What actions were taken in the immediate aftermath?
3) What happened between the time Trudeau released his Mandate Letter calling for restricting M2K to the time Bill S-228 was introduced?
    i. What were unanticipated challenges?
    ii. What was desired possible?
    iii. What actions were taken?
    iv. Who was involved/not involved?
4) What options are available now to "reopen" the policy window on M2K, or has this opportunity passed?

This will be done through content analysis of relevant databases (Scopus, Medline and EMBASE) and documents including government reports, evaluation reports, communication reports, internal policy briefings and media. Also, thematic analysis of interviews will be conducted with key participants about marketing to kids and Bill-S228's policy process.

3. How long will you be in this study?

The anticipated length will be approximately 1 year. This will only require 1 interview of you that will last about 45 – 60 minutes.

4. What are the study procedures?

As a participant in this study, you will be considered as a key informant interviewee. These interviews will be semi-structured to leave room to expand on issues of importance to interview participants. These will be completed through Zoom to limit in- person contact amidst the COVID-19 pandemic.

Interview questions will be shared with you in advance should you express an interest in participating. They will focus on asking you questions related to your views on current state of marketing to kids, the reasons the policy was able to be adopted, the factors that influences the decision-making process, and ways that the policy processes could be supported as part of future obesity prevention efforts.

The nature of interviews will be exploratory as the content covered in the interview will be dependent on the areas of significance most important to you. I will ask follow-up questions to clarify meanings throughout to ensure that your experiences are fully understood.

Prior to beginning the interview, I will verbally go over information outlined in this letter of information which includes the goals and purpose of the study, the length of the interview as well as your right not to answer any questions and withdraw from the study.

Interviews will be audio recorded through the use of a personal iPhone that will be secured. These audio files will be prompted transcribed verbatim to be analyzed. Once this is completed, the audio file will be destroyed. Transcripts will be stored electronically in an encrypted folder. Audio recording is a mandatory portion of this study, so you will not be eligible to participate if you are not comfortable with this.

After the interview, you will be sent a debriefing email which will direct you on how to contact us for follow up about the study, your right to withdraw and whether you want to be contacted when findings of the study are ready.

5. What are the risks and harms of participating in this study?

There are no known or anticipated risks associated with participating in this study. The only inconvenience that may be imposed upon participants is the time commitment required. Considering that the COVID-19 pandemic is still ongoing, it may be inconvenient for participants to allocate portions of their day to participate in this research.

To overcome the potential inconvenience that may be imposed upon participants, the following steps will be taken: 1) Interviews will be kept brief to ensure that they are conducted in an efficient way to respect participants' time; 2) The researchers will be extremely flexible as to the dates and times that will be available for interviews.

6. What are the benefits of participating in this study?

You may not directly benefit from participating in this study, but information gathered may provide benefits to society which include important findings that will fill a gap in literature characterized by a lack of information about the failure of Bill S-228, despite support. As a result, this study will hope to contribute to the obesity prevention policy evidence. (e.g., how might a bill such as Bill-S228 succeed in future legislative sessions).

7. Can participants choose to leave the study?

You may decide to withdraw from this study at any point up until publication of the study, which includes the withdrawal of all data. If you wish to have your information removed, please let the researcher know and your information will be destroyed from our records.

8. How will participants' information be kept confidential?

     To protect your privacy, all participants will be given pseudonyms during this process. Any other identifying information, such as the health authority you are employed by, will be removed from interview transcripts to ensure confidentiality. Additionally, given that participants are public servants representing health authorities, any quotations will not be directly attributed to any individual or jurisdiction and any identifying information will be removed to protect confidentiality. Only represented health authorities and anonymous quotes will be included in dissemination. This means that if the results of the study are published, your name will not be used. However, while we do our best to protect your information, there is no guarantee that we will be able to do so. The inclusion of organizations included in the study during dissemination of the results may allow someone to link the data and identify you.

     Participant names and pseudonyms, contact information, health authority represented, and tracking information (such as if they completed written consent, if the interview has been scheduled, etc.) will all be kept on a master list. This will be done to properly track study progress according to the research objectives. This will be kept by the researcher in a secure place, separate from your study file. This master list will be an encrypted file that is only accessed by the researchers. This will be kept in an encrypted file on Lin Jawhar's laptop and destroyed at the completion of the study, as per Western's guidelines (retained for a minimum of 7 years). To remain consistent with this, study records will be securely transferred to Dr. Jacob Shelley for long-term storage at the completion of Lin's degree.

     Representatives of Western University's Non-Medical Research Ethics Board may require access to all the study records to monitor the conduct of the research.

9. Are participants compensated to be in this study?

     You will not be compensated for your participation in this research.

10. What are the rights of participants?

     Your participation in this study is voluntary. You may decide not to be in this study. Even if you consent to participate, you have the right to not answer individual questions or to withdraw from the study at any point prior to publication, which includes the option to withdraw your data. If you choose not to participate or to leave the study, it will have no effect on your

11. Whom do participants contact for questions?

     If you have questions about this research study, please contact: Jacob Shelley. If you have any questions about your rights as a research participant or the conduct of this study, you may contact the Office of Human Research Ethics at the University of Western.

<div align="center">

This letter is yours to keep for future reference.

</div>

Project Title:
Understanding Unhealthy Marketing of Food and Beverages to Children in Canada: An Investigation using Political Science Theories.

Document Title:
Letter of Information and Consent

Principal Investigator + Contact:
Dr. Jacob Shelley
Western University

Additional Research Staff + Contact:
Lin Jawhar
Western University

<u>Written Consent Form</u>

_____   _____   _____
Print Name of Person   Signature   Date *(DD-MMM-YYYY)*

This study has been explained to me and any questions I had have been answered. I know that I may leave the study at any time. I agree to take part in this study.

_____   _____   _____
Print Name of Person   Signature   Date *(DD-MMM-YYYY)*
Obtaining Consent

My signature means that I have explained the study to the participant named above. I have answered all questions.

Appendix F: Semi Structured Interview Guide

Questions Related to Marketing to Kids:
1. My interest is to evaluate the policy area related to marketing of unhealthy food and beverages to children. What can you tell me about the current state of marketing to kids?
2. What was the perception about Mandate Letter sent by Trudeau? What was considered appropriate way to tackle M2K?
3. From the time Trudeau released his mandate about marketing to kids until the time Child Health Protection Act (Bill S-228) was introduced what actions were taken? Who was involved? Who was not involved, in your opinion?
4. What were anticipated and unanticipated challenged?
5. Was there a specific desired outcome or route to happen?
6. Specifically, the failure of Bill S-228. Can you tell me a bit about your role in relation to this Bill?

Questions Related to Bill S-228:
7. Why do you think the Bill S-228 did not pass?
8. From your perspective, can you describe the key influences on the policy decision-making processes?
9. If at all, how did timing influence the policy process?
10. If at all, how was evidence used throughout the whole policy process?
11. Can you please reflect on the role of different groups in the policy process?
12. Can you please reflect on the beliefs of key influential individuals?
13. Can you please reflect on how the idea of obesity is framed (e.g., personal responsibility verses governmental responsibility), and how this played a role, if at all?
14. How might a bill such as bill S-228 succeed in future legislative sessions?
15. Is there anything you'd like to add that we haven't discussed?

Appendix G: Feedback Letter for Interviews

Hello,

Thank you for your participation in this study! The purpose of this study was to explore: (1) assess and evaluate the current state of Marketing to Kids (2) investigate why, despite initially passing through the Senate and then through the House, and despite support in the need for mandatory policies to protect children from the unhealthy marketing, Bill S-228 failed to become a law (3) How might a bill such as Bill S-228 succeed in future legislative sessions?, among other research questions.

If you are interested in being notified when the findings of the study are available, you may respond to this email indicating your interest.

Lastly, this is a reminder that you have the right to withdraw from the study, which includes the withdrawal of your data, at any point prior to publication of the study.

Thank you again for your participation.

Kind regards,

Jacob Shelley
Western University

Lin Jawhar
Western University

Appendix H: Approval of NMREB Initial Application for Interviews

Western Research

Date: 4 April 2023

To: Dr. Jacob Shelley

Project ID: 121867

Study Title: Understanding Unhealthy Marketing of Food and Beverages to Children in Canada: An Investigation using Political Science Theories

Short Title: M2K

Application Type: NMREB Initial Application

Review Type: Delegated

Full Board Reporting Date: 14/Apr/2023

Date Approval Issued: 04/Apr/2023 13:59

REB Approval Expiry Date: 04/Apr/2024

Dear Dr. Jacob Shelley

The Western University Non-Medical Research Ethics Board (NMREB) has reviewed and approved the WREM application form for the above mentioned study, as of the date noted above. NMREB approval for this study remains valid until the expiry date noted above, conditional to timely submission and acceptance of NMREB Continuing Ethics Review.

This research study is to be conducted by the investigator noted above. **All other required institutional approvals and mandated training must also be obtained prior to the conduct of the study.**

Documents Approved:

Document Name	Document Type	Document Date	Document Version
Semi Structured Interview Guide	Interview Guide	10/Oct/2022	1
Email Recruitment Version 2	Recruitment Materials	01/Apr/2023	2
Debriefing email	Debriefing document	03/Apr/2023	2
Email to Health Authority	Recruitment Materials	03/Apr/2023	2
Letter of Information and Consent Version 4	Written Consent/Assent	04/Apr/2023	4

The Western University NMREB operates in compliance with the Tri-Council Policy Statement Ethical Conduct for Research Involving Humans (TCPS2), the Ontario Personal Health Information Protection Act (PHIPA, 2004), and the applicable laws and regulations of Ontario. Members of the NMREB who are named as Investigators in research studies do not participate in discussions related to, nor vote on such studies when they are presented to the REB. The NMREB is registered with the U.S. Department of Health & Human Services under the IRB registration number IRB 00000941.

Please do not hesitate to contact us if you have any questions.

Sincerely,

Ms. Zoë Levi, Research Ethics Officer on behalf of Dr. Randal Graham, NMREB Chair

Note: This correspondence includes an electronic signature (validation and approval via an online system that is compliant with all regulations).

Appendix I: Approval of NMREB Initial Amendment for Interviews

![Western Research logo]

Date: 8 June 2023

To: Dr. Jacob Shelley

Project ID: 121867

Study Title: Understanding Unhealthy Marketing of Food and Beverages to Children in Canada: An Investigation using Political Science Theories

Application Type: NMREB Amendment Form

Review Type: Delegated

Full Board Reporting Date: 07/Jul/2023

Date Approval Issued: 08/Jun/2023 12:40

REB Approval Expiry Date: 04/Apr/2024

Dear Dr. Jacob Shelley,

The Western University Non-Medical Research Ethics Board (NMREB) has reviewed and approved the WREM application form for the amendment, as of the date noted above.

REB members involved in the research project do not participate in the review, discussion or decision.

The Western University NMREB operates in compliance with the Tri-Council Policy Statement Ethical Conduct for Research Involving Humans (TCPS2), the Ontario Personal Health Information Protection Act (PHIPA, 2004), and the applicable laws and regulations of Ontario. Members of the NMREB who are named as Investigators in research studies do not participate in discussions related to, nor vote on such studies when they are presented to the REB. The NMREB is registered with the U.S. Department of Health & Human Services under the IRB registration number IRB 00000941.

Please do not hesitate to contact us if you have any questions.

Sincerely,

Ms. Katelyn Harris, Research Ethics Officer on behalf of Dr. Randal Graham, NMREB Chair

Note: This correspondence includes an electronic signature (validation and approval via an online system that is compliant with all regulations).