

**Case ID: 103****Decision**

<b>To</b>	EU Pledge Secretariat	<b>Date of mtg</b>	25 February 2025
<b>From</b>	EASA Secretariat	<b>Date sent</b>	

**Ruling – Advergame Chip Racer on Pringles Belgium Website****Description**

Pringles Advergame Chip Racer, Belgium, Website

**Complaint**

The complainant filed a complaint “*regarding Pringles BE’s child-friendly advergame ‘Chip Racer’*” attaching screenshots of the advertising piece without additional comments.

**Advertiser’s response**

Kellanova (Pringles) provided the following information as an answer:

1. The Pringles Chips Racer game was designed for a promotion aimed at adults and was age-gated to 18+. The game was designed with a difficulty level beyond the skills of young children, used previously as a test of skill for adults to win prizes.
2. The game's style mimics older racing games from the late 80s and early 90s, appealing to adults nostalgic for those experiences. It features pixelated crowds and cars, not typically appealing to younger audiences today.
3. Actions were taken to restrict child access.
  - Access to the game was only possible by entering the address into the browser or clicking through from the official Pringles website under the "Let's Play" tab. The game was not immediately visible on the website, requiring users to scroll down to find it.
  - The official Pringles website is targeted at individuals aged 18 and above, both in terms of content and creative execution, in line with the brand's target demographic of adults.
  - The game is currently not being advertised.
  - The key colours used in the game reflect only the Pringles brand colours and flavour variants. The game was designed and executed to appeal to an adult audience, not children under 13
  - The commercial communication of the game was aligned with the EU Pledge commitment.

## EU Pledge commitment

EU Pledge members commit either to:

- Only advertise products to children under the age of 13 years that meet the common EU Pledge Nutrition Criteria; or
- Not to advertise their products at all to children under the age of 13 years.

The above policy covers marketing communications for food and beverage products that are primarily directed to children under 13 in covered media.

Marketing communications means paid advertising or commercial sales messages for food and beverage products, including marketing communications that use licensed characters, celebrities, influencers, and movie tie-ins primarily appealing to children under 13. Company-owned, brand equity characters are not covered by the policy.

Primarily directed to children under 13 means advertising in measured media where 35% or more of the audience is under 13 years of age. Where adequate data are unavailable, companies will consider other factors as appropriate, which may include the overall impression of the advertising, actions taken to restrict child access and the target demographic based on the company's media plan.

Covered media means the following vehicles: TV, radio, print, cinema, online (including company-owned websites and company-owned social media profiles), DVD/CD-ROM, direct marketing, product placement, interactive games, outdoor marketing, mobile and SMS marketing. Packaging, in-store and point of sale as well as forms of marketing communications which are not under the direct control of the brand owner, such as user-generated content, are not covered by this policy.

## Decision

The advertised product, Pringles, is not compliant with the EU Pledge nutrition criteria. Therefore, marketing communications surrounding the promotions of the food product must not be directed or be primarily appealing primarily to children under the age of 13 years old.

The complaint pertains to a marketing communication presented as an advergame on the Pringles website in Belgium. The focus of this racing game was the Pringles product itself, prominently featured throughout. The game showcased two flavours of Pringles: "sour cream & onion" and "original." The race characters wore helmets with the Pringles logo, carried the product as a prize for winning, and drove cars resembling Pringles packaging. The title of the game displayed the Pringles logo alongside two racing flags.

The Panel evaluated the creative execution of the Pringles game based on the material provided by the complainant, which was solely related to the game.

Computer games, video games, and mobile apps fall under the non-measured media category, meaning adequate demographic metrics are unavailable. The Panel noted the absence of age-gating or parental consent mechanisms to prevent children under 13 from playing the game.

Furthermore, even if the website hosting the game had such mechanisms, the game itself does not, as it can be accessed directly through a Google search. Although the game has been removed from the Belgian website, it remains accessible via a separate domain with options to play in different languages.

According to the EU Pledge Commitment, an age-gating mechanism may be helpful but should not be deemed sufficient for compliance if the marketing communication is clearly designed to appeal primarily to children under 13. Therefore, the Panel analysed the creative execution of the advertisement as perceived by audiences.

The Panel agreed that the animations, music, and sound effects primarily appeal to children under 13. The loud music and childish aesthetics are inviting to this demographic. Despite the company's claim that "the style mimics older racing games from the late 80s and early 90s," the Panel considered that children would not recognise this and would still find the game attractive and inviting. The game's simple, animated, and colourful aesthetics are typically primarily appealing to children.

The Panel also considered that the game is easy enough for children under 13 to play, with easy-to-follow instructions and user-friendly controls. The advertised product is prominently featured in the game.

Based on the arguments and rationale explained above, the Panel finds the advertisement to be primarily appealing to children under 13 years old and thus not compliant with the EU Pledge Commitment. It is a unanimous decision. Therefore, the Panel upholds the complaint.

**Panel decision: complaint upheld**