

Case ID: 108**Decision****To** EU Pledge Secretariat

6 November 2025

From EASA Secretariat**Description**

Mondelez Oreo Portugal Minecraft Influencer

Complaint

The complainant filed a complaint regarding marketing practices by Mondelez Oreo in Portugal, attaching screenshots of the advertising piece with additional comments:

The post features an influencer (@claudiaiv) in a collaboration with Oreo and Minecraft, one of the most popular games among children and teenagers, 20% of players are under 15. The Minecraft brand brings with it strong child appeal through its blocky visuals, playful world-building, and widespread recognition among young audiences. The influencer received a Minecraft-themed gift box with a small special edition Minecraft Oreo, as well as a regular packet of Oreos, linking two brands very popular with children, including those under 12. The box says: “Like nothing else in the Minecraft universe, we have developed 25 Oreo blocks, and one of them is yours. If you already felt special, explore the kit and see the invitation we have for you” – using the informal “tu” in Portuguese, demonstrating the intent to appeal to a young child audience.

Use of influencers: The content is highly relatable and inspirational for children and teenagers, who are likely to identify with influencers of a similar age. As a lifestyle influencer (sports, food and lifestyle), she has a significant following (21k) attracting a young audience and many teenagers; as well as young Minecraft fans. The caption says: “We will be there for the preview of the movie that all kids are sure to love”, clearly linking both Oreo and Minecraft to children.

Gamification and interactivity: Purchasing Oreo products is linked to a game inspired by Minecraft. This turns product consumption into a playful activity, making the brand part of children’s gaming experiences.

Exclusivity and gifting element: Receiving a special delivery/box, which includes a ticket for the film, makes the product feel like a reward or privilege. This type of “exclusive brand experience” is a common strategy to create FOMO (fear of missing out), especially powerful among young followers who aspire to be part of influencer culture. On the gift box, the Minecraft logo, pixelated aesthetics, branded objects) directly leverages this strong child appeal.

Advertiser's response

Mondelez provided the following information as an answer:

Use of Influencer

The EU Pledge commitments apply to marketing communications that are either owned, controlled, or paid for by the brand, or directly commissioned, contracted or incentivised by the company. The post in question

was an Instagram story which was created independently and voluntarily by @claudiaiv who received a PR Kit from our Oreo team in relation to our collaboration with Oreo and Warner Bros. – the creators of Minecraft the Movie. @claudiaiv was not a paid collaborator and was not briefed to make a post on behalf of Oreo. The content was shared organically and at their own discretion, therefore the post could not be considered as a marketing communication under the EU Pledge and instead is user-generated content. This is consistent with the EU Pledge enforcement precedent, which assesses the overall intent, control, and targeting rather than isolated organic user actions. The re-share of the post by Oreo Portugal was shared to the Oreo Portugal stories which are short lived - they disappear automatically within 24 hours and are not publically available after this timeframe. Given this low exposure and short-lived character, the post does not constitute a structured or sustained marketing communication capable of influencing children. The post is no longer live, visible or accessible to the public.

Platform, Content and Audience Considerations

Instagram enforces a minimum user age of 13 years, and in addition to this, our marketing activities on this platform are designed for an 18+ audience.

Gamification and Interactivity:

There is no suggestion in the post that children (or anyone) should purchase or consume the product, or to participate in the promotion. There were no visuals or music elements designed to capture children's attention. The post referred to the Minecraft the Movie premiere and had a visual of the PR Kit that was delivered to the influencer but does not feature any visuals of the consumer promotion itself or any gamification or interactivity element. The reference to “o filme que os miúdos vão todos adorar” was not directed at children. The word “miúdos” in Portuguese is commonly used to refer to a wide age range, not specifically young children, and it makes reference to Minecraft the Movie and not Oreo cookies. Similarly, the reference to ‘tu’ in Portuguese does not demonstrate the intent to appeal to a young child audience. It is an informal way of referencing ‘you’, meaning a wider audience and is not typically used to only refer to children or a younger audience. Nevertheless, the consumer campaign was explicitly designed for consumers aged 18 or older. Access to the promotional website (including the gamification element) required confirmation via an age tick-box (18+) before entering the game or any related content, restricting entry to adults aged 18+. In addition, we have data confirming that the overwhelming majority of @claudiaiv's audience was aged 18 and above. She is a lifestyle and entertainment influencer and the content she produces is not of particular appeal to children and is directed at an older audience. Her Instagram is not a child-focused channel, and she would not be considered as relatable and inspirational for children under 13, and they would not be likely to identify with her.

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 30% 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 complainant informed us that they did not wish to proceed with the case. As a result, the matter is considered resolved and will be closed. It will not be submitted to the panel of experts for further review.