

## EU PLEDGE ACCOUNTABILITY MECHANISM

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**Case ID: 94**

**Settlement**

27 July 2023

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**Description**

Game on Coca-Cola app in France.

**Complaint**

The complainant submitted screenshots of the app, without any additional comments.

**Advertiser's response**

Coca-Cola provided the following statement:

*We are responding to the complaint submitted through the EU Pledge Accountability Mechanism on 5th July 2023, according to which the Coca-Cola turn up your summer game, which is available on the Coca-Cola App in France.*

*First, we would like to reiterate our strong commitment to the EU Pledge. We place great importance on our compliance toward the EU Pledge as well as to our own global Responsible Marketing Policy. As such, we do not target, in any of our advertisings, children under age 13, anywhere in the world. Specifically, as part of our global Responsible Marketing Policy, we do not use games designed to appeal primarily to children under 13. Our policy applies to all the products bearing the marks of The Coca-Cola Company, regardless of their nutritional profile.*

*The screenshot of the alleged non-compliance is from our 'turn up your summer in-app game', which is only accessible in the Coca-Cola App.*

*In line with the EU Pledge and our company's global Responsible Marketing Policy, the Coca-Cola app in France has a 16+ age restriction which is verified on sign-up to the app and is clearly stated in the Terms of Service available on the App. In addition, the app is rated 17+ on the apple rating system.*

*The main character, who is identifiable as older than 13 years old, and accompanying imagery to the game were selected based on their appeal to young adult and adult audiences. The game includes no sound.*

*Based on the information and evidence shared, we assess the in-app game in question to be compliant with the EU Pledge. Please note that this game is due to end on 15 August 2023.*

### **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 case was settled, as the complainant did not provide additional information and/or request to proceed with the ruling. The case will be closed and not be brought to the panel of experts for further review.