

## When Childhood Gets Commercialized, Can Children Be Protected?<sup>1</sup>

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In 2004, a significant debate about the effects and even the ethics of marketing to children emerged in the U.S. The catalyst has been the growing epidemic of childhood obesity and the related rise in medical diseases such as hypertension and type II diabetes (Surgeon General 2001). Children's advocates have argued that food marketing is a major cause of the shift to unhealthy diets dominated by added sugar, fat and salt. They point to the billions of dollars of food advertising and marketing which children are exposed to, on television, in schools, on the Internet, and in the grocery store (Nestle 2002, Brownell and Horgen 2003).

Although it did not gain much traction before the recent attention to junk food marketing, the critique goes beyond food to include other addictive substances such as tobacco and alcohol, as well as the marketing of violence, unhealthy body images, and materialism. Social scientists and pediatricians have compiled an impressive array of research results about the impact of various aspects of consumer culture on children. (See Robinson et al. 1998, 2001, Sargent et al. 2001, Kasser 2002, Strasburger and Wilson 2002; and Schor 2004, among others.) Activists have argued that children are suffering from 'marketing-related diseases' (see [commercialalert.org](http://commercialalert.org)), and that marketers are engaging in a 'hostile takeover of childhood' (Linn 2004, see also Nader 1996). In addition to their opposition to particular products and messages, many critics believe that advertising to children is inherently unfair, even exploitative, because children are unable to understand ads or resist their persuasiveness.

The critics are motivated in part by adverse trends in child well-being. Youth are suffering from rising rates of obesity, obesity-related diseases, mental and emotional disorders such as depression, substance abuse, suicide, attention disorders, mood disorders, behavioral disorders, and eating disorders (Kelleher et al. 2000). Record numbers of children are on drugs to address these problems. The average level of anxiety among American youth is now equivalent to the rate recorded among children admitted to psychiatric facilities in the 1950s

(Twenge 2000). And in 2001, self-reports of physical and emotional health among college freshmen reached their lowest level in 16 years of surveying (Sax et al. 2001). While the 1990s economic boom yielded gains in well-being by reducing child poverty rates, middle class and wealthy children are now increasingly at risk.

In addition to the critiques of researchers and activists, action from the legal community has focused attention on activities of junk food producers. A number of lawsuits have been filed against fast food companies, for marketing addictive and dangerous products to children. Some of the lawyers active in the fight against Big Tobacco have turned their attention to junk food marketing. Throughout both the activist community and the industry, there is a common view that junk food could be 'the next tobacco' (Branch 2003).

Industry has responded on a number of fronts. Politically, it has enlisted the support of the Bush Administration to forestall legislation, and to shift the focus of the debate from food to exercise. (For a discussion of this point, see Schor 2004, and also a series of press releases on Bush Administration actions at [commercialalert.org](http://commercialalert.org)) In 2004, before the Congressional recess, the food industry was able to get a bill through the House that protects them from liability for consumer harm. It was not taken up by the Senate, but it is likely it will be re-introduced.

The food corporations have also tried to control the discourse by making some concessions, and through skillful use of public relations concerning those concessions. For example, Kraft recently got wide coverage for an announcement that was interpreted as a commitment to stop advertising a subset of its most unhealthy products to children, although the actual change will likely be less significant than was widely interpreted (Mayer 2005). McDonald's garnered widespread positive attention for an announcement that it was abandoning the use of trans-fats, a shift it has failed to carry out. The Center for Consumer Freedom, a group originally funded by Philip Morris, which also receives funding from restaurant chains, soft drink companies and other food corporations, has engaged in substantial public relations, advertising, research and lobbying activity in order to discredit food industry critics (see Schor 2004, Sargent 2005). In January 2005, industry formed the Alliance for American Advertising (AAA), a new organization whose purpose is to protect companies' rights to advertise to children. The Alliance includes Kellogg, General Mills and Kraft, and has openly questioned the link between advertising and obesity, a reprise of tobacco strategy (Ellison 2005). The formation of the AAA should be interpreted as a sign that the critics are making progress – however, the current political environment is hardly favorable.

## The commercialization of childhood

The debate about marketing has developed not only because of food, but also because what industry participants call the 'children's space' has become one of the most dynamic and fastest-growing areas of advertising and marketing. Children, by which I refer to persons in the zero to twelve age range, are a segment of the consumer market with rapidly growing purchasing power. It is currently estimated that children command over US\$40 billion in direct purchasing power, and that number is expected to rise to \$51.8 billion in 2006 (marketresearch.com). Direct purchasing power is money children themselves have control over and spend. The leading product category children spend on is food and beverages, followed by play items, apparel, movies and sports, and video arcades (McNeal 1999, p. 57).

As a result of their growing market power, advertising and marketing to children has risen dramatically in recent years, and is now estimated to exceed \$15 billion a year in the U.S. (Schor 2004). Food accounts for the lion's share of total expenditures. As markets for many adult products reach saturation, the advertising industry has averted disaster in large part by doing work for drug companies and corporations that target children.

Marketers' interest in children goes well beyond the \$40 billion that fills their piggy banks. Their greater attraction is that children are influencing a far larger slice of consumer purchasing, through what industry analysts call the 'influence market', or their role in determining parental purchases. The influence market is estimated by McNeal to be more than \$670 billion (McNeal 1999 and communication with author). Influence ranges from a child's request for a particular brand of cereal to weighing in with the brand of minivan their parents should choose. The growth of child influence is enabled by more democratic styles of parenting, but it is propelled by an increasing volume of direct-to-child ads for food, cars, hotel and restaurant chains, tourist destinations, and consumer electronics, which are placed on children's media. An initial opening of influence identified by marketers has been capitalized on by an intense targeting effort. This triangulation among child, parent and marketer is altering basic family dynamics in complex and not always healthy ways.

The transformation of family purchasing dynamics has been most consequential in food choices. Children now request not only long-advertised products such as sugared cereals, but new items such as entrees, dairy goods, special luncheon items such as Oscar Meyers' 'Lunchables', salty snacks, sugared snacks, desserts and even condiments. (Some famous industry examples in this category include Heinz' green ketchup and Parkay's blue margarine.) Indeed, marketers have found that children have moved beyond the traditional product request model ('Mommy, I want this', or 'Buy me that!') to 'train' their parents to purchase the items they prefer. Children who have trained their parents exercise more control over total purchases because most parents limit children to a certain number of product requests. These changes have become central to the deterioration of children's diets (Schor 2004, see also Nader 1996, and on diets, Muñoz et al. 1997).

## The proliferation of ads

Parents are probably most aware of, and certainly policy makers have paid most attention to, television advertising, but innovation and expansion in the targeting of children is increasingly happening outside the TV box. Advertisers and marketers have opened up a number of new fronts for capturing children's attention and imaginations. Indeed, television advertising represents only a fraction of total marketing expenditure. New advertising frontiers include the Internet, movies, cultural institutions, schools, playgrounds, social service organizations, and even private homes. These venues are in addition to the ongoing commercialization of public space that is targeted at both adults and children (McAllister 1996). Examples include corporate naming of stadiums, the growth of advertising in sport, advertising on subways and buses, the airport and hospital channels, advertising in restaurants, and other place-based advertising such as the illumination of sidewalks with ads, and the growth of street advertising such as product giveaways and what are called 'guerrilla teams' doing marketing on the street. Real life product placement is another growing trend, in which companies pay people or even enlist volunteers to use, tout, or otherwise promote a product in everyday life.

The Internet has become a highly commercialized medium, which includes very few non-commercial sites for children. A wide range of problematic practices, which violate industry guidelines for advertising to children, have been discovered on the Internet, only some of which have been eliminated (Center for Media Education 1996, 2001, Aufderheide 2001). A growing practice is *advergaming*, in which companies create branded game environments (e.g., Nabisco's Chips Ahoy game, or Nike's Slam Dunk contest). Delineation between ads and content is often very weak on the Internet, in violation of a widely accepted basic principle of children's advertising. Movies have become another growth area for advertising, as paid product placements have become ubiquitous in children's films, and because commercials are now routinely shown before the coming attractions.

In the non-electronic world, advertising to children is also growing rapidly. Zoos and museums are increasingly offering corporations the chance to sponsor exhibits and in return giving them opportunities to market their brands and products. In the last decade, schools have opened their doors to advertisers in a major way. Examples of in-school advertising include so-called 'sponsored educational materials' or ads in the guise of free curricula provided to teachers; Channel One's in-classroom 'news' broadcast and daily mandatory viewing of commercials; ads on school hallways, buses, and gymnasium floors; branded product giveaways (such as Philip Morris's 'free' textbook covers); the sale of naming rights for gyms and even schools to corporate sponsors; exclusive soft-drink contracts; corporate art, homework, and other contests; and field trip programs which introduce children to particular stores (e.g., a trip to Petco rather than the zoo). Schools have also offered their pupils as participants in market research exercises in re-

turn for small sums of money. (For details on in-school advertising see Schor 2004 ch. 5, Molnar 1996, 2002.)

Marketing is also infiltrating social institutions and social dynamics in unprecedented ways. For example, non-profit organizations such as the Girl Scouts and the Boys and Girls Clubs, as well as churches, are now collaborating with marketers. The Girl Scouts offer a 'fashion adventure' badge that consists of a trip to the mall, and an introduction to the 'Limited Two', a clothing store which targets pre-teen girls. The national Boys and Girls Clubs are collaborating with market research firms to provide children who will serve as 'consultants' and 'informants'. Ministers and youth service workers who participate in sports leagues are enlisted by footwear and apparel manufacturers to test out products with the children they work with (Schor 2004). Finally, marketers entice kids themselves to practice what is called 'viral' marketing, or word-of-mouth advertising to their friends, relatives and acquaintances. The firms operate by finding trend-setting, popular kids and recruiting them to serve as marketing 'agents'. The children are instructed to market particular products or extract consumer information from their friends. One company, active among tween girls, claims to have organized thousands of slumber parties in 'agents' homes, at which girls provide market research to client companies and gain access to new products (Schor 2004). Proctor and Gamble has 250,000 youth involved in Tremor, its word-of-mouth arm (Vranica 2004).

I include these developments in some detail because they are important for understanding the broad context in which current debates about marketing to children are taking place. Marketing and advertising have moved out from the bounded world of television, and even the world of media, to virtually all the spaces and places inhabited by children. The nature of an 'ad' is also changing, as companies are utilizing many types of communication to convey brand messages to children. This of course complicates efforts to regulate, control or alter the advertising and marketing, and it increases the areas and types of influence advertising is having on children.

### **The case against marketing and advertising to children: ads are exploitative**

There are two major lines of criticisms of marketing to children. The first is that all advertising is problematic because children are unable to adequately understand and resist its messages. This position relies on theories of development that argue that children's capacities to understand the world around them develop gradually throughout childhood. The second identifies negative impacts of particular advertised products, and opposes advertising because it increases the consumption of these products. A related harm argument is that ad messages themselves often have negative effects because they promote unhealthy behaviors and attitudes.

The view that ads are inherently unfair and exploitative comes from a series of research studies begun in the 1970s whose aim was to assess what children can understand about ads and how they receive them. The studies ask questions such as: At what age can children discriminate between advertising and programs? When do they understand the purpose of advertising? When are they able to understand the notion of 'persuasive intent', that is, the idea that commercials are attempting to persuade viewers to buy products? The critics' argument is that because children cannot adequately understand ads and their purpose, they cannot resist ads' persuasive powers, and therefore the practice of directly targeting children is inherently unfair and exploitative. Many believe that the all advertising to children under 12 should be banned on these grounds, regardless of the product being advertised (Kasser and Kanner 2004).

On the first question, the age at which children can discriminate between TV ads and programming, the evidence varies to some extent with research design, however reviews of the literature typically conclude that by age five, most, but not all children are able to differentiate (Roedder John 1999, Gunter and Furnham 1998, Young 1990, Strasburger and Wilson 2002, Kunkel 2001, Macklin and Carlson 1999, Martin 1997). At five years, children are usually able to describe the differences between ads and programming in very limited terms, noting that ads are shorter, or funnier. Advertising is mainly seen as entertainment or unbiased information. The research also shows that the usual practice for differentiating ads from programs, the insertion of a separator, is not effective as a signaling device for this age group (Strasburger and Wilson 1992, Comstock 1991). Similarly, disclaimers and explanations such as 'assembly necessary' or 'batteries required', that are designed to prevent unrealistic expectations have also been found to be ineffective with young children (Comstock 1991).

A second question is whether children can articulate the purpose of ads, once they can identify them. At early ages children typically say things like 'ads show you a product' or 'they are to sell a product'. Deeper understanding of the persuasive intent of ads occurs by about age eight. One study in which children were asked 'what is a commercial' and 'what does a commercial try to get you to do', found that 53 percent of first graders (ages 6-7), 87 percent of third graders (8-9), and 99 percent of fifth graders (ages 10-11) noted the persuasive dimension of ads (Roberston and Rossiter 1974). A 1992 study found that only 32 percent of four to six year olds mentioned that ads try to sell products, instead noting that ads are there to entertain or give information (Wilson and Weiss 1992). Other research finds that watching more ads does not lead to earlier or more complete ability to discern advertising intent (Faber, Perloff and Hawkins 1982).

By eight, children also recognize that ads do not always tell the truth and they have begun to figure out why. The research also finds that as they age, children become less trusting of ads (Roedder John 1999, Mangleburg and Bristol 1998). In a study of middle-school students, most agreed with statements such as 'Advertisers care more about getting you to buy things than what is good for you', and 'TV commercials tell only the good things about a product; they don't tell

you the bad things' (Bousch, Friestad and Rose 1994). Industry practitioners point to this mistrust as proof that children cannot be influenced. But the available research finds that the presence of skepticism does not affect desire for the advertised product, even for nine and ten year olds. Despite expressing doubts about ads, kids remain vulnerable to their persuasive powers (Brucks, Armstrong and Goldberg 1998, Roedder John 1999). Furthermore, although media literacy has been encouraged as a solution to some of the problems raised by children's inability to watch ads critically, at least some research finds that it does not affect children while they are actually watching ads (Roedder John 1999). In one study of nine and ten year olds, exposure to a media literacy film did not subsequently affect their thoughts while they viewed advertisements, because they did not retrieve the consumer knowledge they learned from the film (Brucks, Armstrong and Goldberg 1998). In recent years, advertisers have studied children's skepticism and tried to use it to their advantage, allying themselves with the skepticism, by lampooning advertising, admonishing kids not to trust celebrity endorsers, or imparting a gritty realism to commercials. These tactics are often successful in breaking down children's defenses, and fooling them about what is and is not an ad.

There is debate among scholars of media and advertising about the theoretical underpinnings of these findings. Most researchers follow a Piagetian developmental framework, which has distinct stages for ages 3-7, 7-11 and 11-16 corresponding to the ability to perform mental tasks such as abstraction. Some critics, such as Young (1990) and Davies (1997), argue for a linguistic framework, which looks at when children can understand things like metaphor, ambiguity, irony, and so forth, a perspective which yields a different timetable for understanding (see also Buckingham 2002). In my view, the universalist stage-oriented approach characteristic of most child development theory has been cogently critiqued and empirically undermined, although it remains highly influential in the field of child development (see Keating 1990). I believe this is part of the failure of this approach to gain adherents.

Most of the research noted above was done some time ago, when the FTC (Federal Trade Commission) was interested in these questions. Today, the public stance of those in industry is that children are savvy, more sophisticated than in the past, and incapable of being fooled by advertising. (They rarely address the ability to withstand ads' persuasive powers.) Whether industry is right that children today are unlike those of the 1970s and 1980s, is an unexamined, although reasonable point of view. Developmentalists discount that argument, because their models rely on 'biological' categories, which see children as unchanging, at least over short periods of time. However, it is curious that privately industry professionals are closer to the developmentalist psychologists than they admit in public. A 2004 Harris survey of 878 children's marketers found that the age at which they believe young people are capable of making 'intelligent choices as consumers' is 11.7 years (average response), not far from the 12 years that psychologists identify (Grimm 2004). The survey also found that the average age at which marketers believe it is 'appropriate to begin marketing to children' is 7 years, the

age at which children can view advertising critically is 9.1 years, and that the age at which children can begin distinguishing between 'fantasy and reality in media and advertising' is 9.3 years. Of course, actual practices diverge substantially from these beliefs.

## The case against marketing (II): the production of harm

In contrast to the previous argument, which has gained relatively few adherents in recent years, arguments against marketing based on the harms done by marketed products have attracted attention and proponents. As noted above, opposition to food marketing has become significant. Food companies are estimated to spend thirty-three billion a year in direct advertising, and increasingly those dollars are targeted to children. Seventy percent of expenditures are for convenience foods, candy and snacks, alcoholic beverages, soft drinks and desserts. Fruits, vegetables, grains and beans comprise only 2.2 percent (Nestle 2002, p. 22). McDonald's, the world's largest fast food restaurant chain, reportedly spends \$500 million a year on ads, of which approximately 40 percent is targeted to children (Horgen et al. 2001 cited in Strasburger and Wilson 2002). Virtually all children's food advertising is for junk food, and in addition to child-targeted ads, children are heavily exposed to food advertising nominally directed at adults (Byrd-Bredbenner and Grasso 1999). Nationwide, schools are reported to receive \$750 million a year in marketing dollars from snack and processed food companies (Egan 2002).

Decades of studies show that food marketing to children is effective (Goldberg 1990). In the 1970s, Marvin Goldberg studied differences between children who saw and did not see television advertising and found that sugared cereals were more likely to be present in the homes of the former (Gorn and Goldberg 1982). H.L. Taras and colleagues (1989) found that for children aged 3-8 weekly television viewing time is significantly correlated with requests for specified advertised products as well as overall caloric intake. More recently, Dina Borzekowski's and Thomas Robinson's research (2001) on low-income preschoolers found that even brief exposure to ads led the children to choose advertised food products more often. And a study of fourth and fifth graders found that higher television viewing is related to poor nutritional habits, even controlling for social and other factors (Signorielli and Lears (1992), cited in Strasburger and Wilson 2002, p. 245).

Food advertising is contributing to major changes in eating habits. Snacking among children has increased markedly over the past two decades, and the fraction of calories that comes from snacks, rather than meals, has risen by 30 percent (Jahns, Siega-Riz and Popkin 2001; see also Cullen et al. 2002 on deteriorating diets). Marketing has also boosted sugar consumption, especially through soft drinks. The roughly 45 g of added sugar in each drink is just about the total daily recommended limit for added sugar (see Ludwig 2001 on soft drinks and obes-



ity). The fraction of calories consumed outside the home, with their higher fat and sugar content, has also risen markedly, to about a third of the total. By the mid-1990s, fast food comprised 10 percent of kids' daily caloric intake, up from 2 percent twenty years earlier (McLellan 2002). The marked rise in unhealthy eating is central to understanding what the Surgeon General has called an epidemic of obesity among U.S. children (Surgeon General 2001). Over the long term, food marketing is likely to prove to be the most harmful commercial influence on children, because it will affect so much a large fraction of children, with such serious consequences for their health and well-being.

Alcohol, tobacco, and other harmful products continue to be extensively advertised to children. In late 2002, the Center on Alcohol Marketing and Youth reported that not only are underage youth viewing large numbers of alcohol ads, but they are also more likely to see certain ads than adults (*ibid.*). The companies are in clear violation of the voluntary guidelines the companies agreed to not to air ads when underage viewers comprise more than half the audience (Schor 2004). Tobacco companies' print advertising to youth reached record levels after the settlement outlawing youth marketing, as they stepped up ads in youth magazines (Campaign for Tobacco Free Kids 2003). Children are also exposed to alcohol, tobacco, and illegal drugs in television programs, films, and music videos. A major content study found that alcohol and tobacco appeared in more than 90 percent of the 200 most popular films from 1996 and 1997 and illicit drugs appeared in 22 percent (Roberts, Henriksen and Christenson 1999). In fact, smoking and alcohol use are more prevalent in film and television than they are in the real world. While illegal drugs are not formally 'advertised' in the media, there is accumulating evidence of marketing and promotion of performance-enhancing illegal substances such as steroids through athletic coaches. Drug companies are also beginning to advertise prescription drugs to youth. Johnson and Johnson has an extensive marketing campaign for acne remedy Retin-A Micro, and anti-anxiety drugs such as Paxil have ads which are as appropriate to youth as adults. Children have also been heavily exposed to many other drug ads.

The companies are also using street marketing campaigns, which inevitably reach the under-aged. In 2000, Sky Vodka hired Look-Look, a trends research firm founded by 'cool-hunter' DeeDee Gordon, which conceived a campaign to propagate the urban myth that Sky Vodka didn't cause hangovers. Sales among young people rose almost instantly (Goldstein 2000). Other street marketing tactics used by alcohol companies include paint wraps on subway cars in metropolitan areas, postering, and T-shirt giveaways. Tobacco companies have also expanded beyond traditional media. In 2001, a group of child advocates and public health organizations requested an investigation into millions of Philip Morris textbook covers distributed in schools.

There is now a considerable body of evidence showing that children and adolescents are more likely to smoke, drink and use drugs when they are exposed to ads or programming depicting these products. Major new longitudinal studies by researchers at the National Bureau of Economic Research show that

advertising has a strong positive influence on demand, especially for girls, in contrast to earlier studies based on far cruder data (Saffer and Dave 2003 on alcohol, see also Saffer and Chaloupka 1999 on tobacco). In a California study of 9th grade students, Thomas Robinson et al. (1998) found that each extra hour of MTV watched per day was associated with a 31 percent increased risk of starting to drink alcohol over the next 18 months, controlling for a variety of factors. Furthermore, each additional hour of any television programming watched led to a 9 percent higher likelihood the student would start to drink during the following 18 months. A study of nearly 5,000 students in grades five through eight by James Sargent of Dartmouth Medical School found that the most important variable predicting whether a student would try a first cigarette was the amount of time spent watching Hollywood movies. This was true even after controlling for parental smoking and attitudes, personality traits, self-esteem, and propensity to take risks (Sargent et al. 2001, see also Pierce et al. 1998). Given the high prevalence of tobacco, alcohol and drug use among American youth (beginning, typically in grade eight), and the use of millions in taxpayer monies for anti-drug advertising, the continued tolerance of widespread explicit and implicit advertising to youth for these harmful, addictive substances is remarkable.

These products (junk food, tobacco, alcohol and drugs) do not exhaust the list of harmful or potentially harmful items marketed to children. There is an extensive literature on violent products, media and messages, which I do not have the space to detail (see Schor 2004 for some citations, also Ravitch and Vitieritti 2003). Other issues on which research now exists include the marketing of unrealistic body images and their connection to eating disorders, the adverse impact of media exposure on academic achievement, the promotion of early and risky sexual activity through highly sexualized products (fashion, music, media), and the continued media prevalence of harmful racial, gendered, and heteronormative stereotypes.

In recent years, a new literature on harmful commercial influences has emerged, which addresses whether the commercialization of childhood is contributing to materialism and the adoption of consumerist ideology. While advertising and marketing promote particular products, they also convey cultural messages. Common themes include the view that products lead to social validation (or being 'cool'), that they yield happiness and well-being, and that it is important to be rich. These consumerist or materialist values are prevalent throughout both advertising and the media programming that is increasingly intertwined with ads. Surveys of children and teens suggest that they are more materialistic than previous generations, that being rich is currently the most popular aspiration of American youth, and that youth have an unprecedented level of brand awareness and passion (for data on materialism among youth, see Schor 2004).

In the first study of its kind, I (Schor 2004) developed a model of 'consumer involvement' in which media (and advertising) exposure affects how psychically and, to a lesser extent, behaviorally, children become involved in consumer culture. (Scale items include aspirations for wealth, attitudes toward shopping, ads, col-

lecting, and designer labels, the importance of being cool, the intensity of social comparisons of money and goods, and the strength of ongoing desires for products.) The model finds that media exposure (measured as time spent with television and other media) predicts higher consumer involvement. Consumer involvement in turn predicts higher rates of depression, anxiety, and psychosomatic complaints such as headache, stomachache and boredom, as well as lower self-esteem. The model was tested on 300 children aged 10-13 across the socio-economic spectrum, using a structural equation model that is designed to illuminate not merely correlations but causal relations. The interpretation of these results is that the general consumer environment, rather than merely individual harmful products, has become an important part of what is ailing America's children.

These findings are in line with a now very substantial literature on the adverse effects of materialist values on teens and adults. (Virtually no materialism research has been done with children, see Kasser 2002 for a survey of this research.) These studies, done by psychologists, find that materialism is highly correlated with a large number of negative outcomes, such as depression, anxiety, low 'life vitality', poor social functioning, psychosomatic medical conditions, risky behaviors in youth, and psychological disorders. To the extent that consumer culture is cultivating materialist values in children, this literature suggests that those values may well become a source of problems.

### Conventional responses: self-regulation and ad bans

In response to the critics, industry has been vigilant about fending off government regulation and control. In cases where industry accepts the need to 'protect' children (e.g., alcohol, violence and other adult content), it has turned to 'self-regulation' and voluntary ratings schemes. Typically, these rely on parental oversight. (This is consistent with an over-arching industry position, which is that the responsibility for protecting children lies mainly with parents, not corporations or the government. I return to this point below.)

After years of experience with 'self-regulation' of alcohol and tobacco ads, and ratings systems for movies, television, and video games, it is clear that these efforts have not lived up to their ostensible goals of protecting children. Consider, for example, the guideline that alcohol advertising should not appear in programming where over 50 percent of the audience is underage. On the one hand, the alcohol companies have repeatedly violated this guideline, with little or no response from the FTC. But even if they were in compliance, the guideline is ineffective. Underage youth, defined as those aged 12-20, comprise just 15 percent of the population. As a result, only about 1 percent of the 14,359 cable and network programs surveyed by Nielsen Media Research are excluded under the 50 percent rule. Furthermore, many youth watch adult programming. For example, in 2001, 89 percent of youth were exposed to alcohol advertising (Center on

Alcohol Marketing and Youth 2002). As noted above, underage drinkers are more likely than legal age drinkers to be exposed to alcohol advertising. Clearly, the current guidelines are not a serious attempt to avoid exposing children to alcohol ads.

The media ratings systems have also been major failures (Bogart 2005). In general, the ratings systems are designed to inform parents about violent, sexual, profane, or other 'adult' content. In the case of movies, the very existence of these ratings fairly quickly led to increased market demand for higher-rated content (PG-13, parents strongly cautioned; some material may be inappropriate for children under 13, and R, restricted), which in turn led producers to artificially increase 'adult' content in order to obtain coveted PG-13 and R status. This is known in the literature as the 'forbidden fruit' syndrome (Grier 2001). An example of the perversity of the current system is what happened after the Clinton Administration, through the FTC, exposed the studios' widespread marketing of R-rated movies to children as young as nine (Federal Trade Commission 2000). Embarrassed, industry tightened up, and theaters began requiring parents to accompany kids to R movies. But quickly, adult content, including a disproportionate rise in smoking, migrated to the PG-13 category, where many films are now often equivalent to what R-rated films were before the FTC investigation (Bogart 2005, Kennedy 2002). More generally, the institution of a rating system has been accompanied by a significant increase in adult content, across a variety of metrics. By contrast, the television and video game ratings schemes have had less effect, but that is because adults are far less aware of them. The V-Chip has been difficult to understand, program, and use, and parental awareness is very low (Bogart 2005).

Failures like these, as well as industry's unwillingness to self-regulate in important areas such as junk food and violent and sexualized products has led to calls for outright bans on direct advertising to children under 12 (Linn 2004). There are precedents for such bans in some Western European countries, such as Sweden, which prohibits television advertising to children under 12, as does Quebec in Canada. Bans have some certain appeal, but with some exceptions, they also have significant drawbacks. The two most obvious are the legal and political feasibility of such regulation. With respect to the former, corporations are claiming First Amendment protection for direct targeting of children (see Ellison 2005). Of course, the courts have a long history of protecting children, and have been willing to restrict speech in various areas, but recent decisions (e.g., *Lorrillard versus State of Massachusetts*) are not encouraging. Prohibitions on junk food marketing may be more feasible to enact than comprehensive bans, at least if the case for harm and addictiveness of these foods can be made cogently. In any case, the likely outcome of such legal issues is complex, and beyond the scope of this article. However, even if the legal barriers were to be overcome, the political obstacles to enacting regulation are significant, a point I return to below.

There are also logistical and practical questions associated with advertising bans, especially given the size and power of the corporate entities that are involved. For example, the expansion of advertising beyond television, radio and

print venues raises the question of what media a ban would apply to. While television has been the major focus of advertising bans, and it is a relatively easy medium to regulate, even television bans are not without challenges. In Sweden, children are exposed to ads through the growing presence of unregulated satellite television. However, much of the logic of banning ads applies to all types of marketing, including Internet, place-based, and word of mouth. Given that companies are already active in these areas, it will be more difficult to police and enforce generalized bans than it would have been where these practices had not taken root. (And, as one word of mouth marketer noted recently, 'I can't begin to imagine how one can regulate an industry that thrives on its covert nature' (Vranica 2005). However, if bans apply to only some media (e.g., radio and television), the companies can easily shift their expenditures to other outlets, thereby undermining the effectiveness of the ban. The example of the tobacco industry's decision to pull television advertising decades ago shows that companies can continue to market, attract youthful new customers, and thrive without television. Would Big Food have a similar experience?

Bans also raise the possibility of negative unintended consequences. For example, if a ban on advertising to children were to be enacted, it would reduce the financing available for children's programming. If the quantity and quality of their programming declined, children would be likely to watch more adult media. This, in turn, would expose them to other types of inappropriate advertising and content. At the very least, government regulations on advertising need to be coupled with adequate financing mechanisms for quality children's programming.

My pessimism about advertising bans recognizes one important exception – schools. These are proving to be both popular and logistically feasible. Large majorities of parents and even nearly half of all marketers believe that advertising in schools is inappropriate (Schor 2004 on parents, Grimm 2004 on marketers). Schools are bounded environments with workable mechanisms of control, and advertising is a marginal revenue source. This makes the logistics of school bans easier than in other venues. In recent years, a significant number of states, cities and districts have enacted regulations on soft drinks and other junk food marketing in schools. The Seattle School District has gone farthest, outlawing all forms of advertising as well as the provision of junk food (defined in terms of percentages of added sugar, fat and salt). This may be a rare wedge issue that has the potential to galvanize children's advocates.

An alternative to ad bans is counter-advertising. This approach is not common in the traditional children's advocacy community, in part because of the longstanding belief by developmentalists that advertising is unfair, whatever its message. The counter-advertising strategy is also currently a major thrust of Big Food's response to its critics. For example, the first response of the Bush Administration to the obesity crisis was to give millions of taxpayers' dollars to the ad agencies and media corporations that represent Big Food in order to produce ads that touted the benefits of exercise. As the debate has evolved, the companies themselves are committing advertising dollars to nutritional messaging. Re-

cently, McDonald's announced a global ad campaign encouraging children to get the proper 'energy balance' (Sanders 2005). These developments have rightly led activists to be cautious about a solution that is premised on more advertising.

But the anodyne messages of Kraft and McDonald's about exercise and 'eating right' should not blind us to the possibilities for hard-hitting campaigns which tell the truth about the properties and effects of junk food, or even broader messages that cast doubt on the consumer culture itself. The graphic and powerful anti-tobacco ads of more than 30 years ago were widely credited for leading the tobacco companies to withdraw from television, and the equally powerful ads of the Truth campaign are credited with reducing youth smoking. (Research by the National Bureau of Economic Research finds that industry anti-smoking campaigns are associated with either no change or an increased likelihood of smoking, but that government sponsored campaigns significantly reduce smoking, Saffer and Choulapka 1999.)

The counter-advertising approach comes from theories of culture in a post-modern age (see for example, Baudrillard 1994, Lasn 1999). Because media and advertising have become so dominant in the construction of everyday life, especially for youth, post-modern theory argues that it is only through media and advertising that people can be reached. However, only some counter-advertising is effective. Messages must either be emotionally powerful and hard-hitting enough to pierce the zone of complacency about consumer culture that is characteristic of everyday life. Or they must be humorous and undermine the legitimacy of ordinary advertising, as in the genre of 'sub-vertising' or 'spooft ads' practiced by Adbusters.

To date, this strategy has been stymied by the fact that truly powerful anti-ad messaging is difficult to get on the airwaves and almost impossible to sustain. The Truth campaign was ended quickly. The networks have repeatedly refused to show Adbusters anti-consumerist ads, in part on grounds that they will offend their advertisers. Surprisingly, there are no First Amendment rights for groups that want to promote an anti-consumerist message. Media outlets are corporate entities that depend on other corporate entities to earn profits, and they have historically resisted messages that jeopardize that relationship.

## The problem of corporate power and the new realities of public policy

The drawbacks of the standard responses to the problem are ultimately due to the larger economic and political environment in which they are being proposed. Today, the bulk of advertising to children is done by a small number of multi-billion dollar corporations. In many of the major product categories, the market is dominated by a small number of companies, sometimes only two. In soft drinks, it is Coca-Cola and Pepsico, in toys Mattel and Hasbro, in fast food McDonald's

and Burger King, in candy Mars and Hershey. In beer, Anheuser-Busch and Miller dominate. In food there are more than two, but few – Kraft (Philip Morris), Nabisco (RJR), General Foods, Pepsico, Unilever and Nestle are major players. Among media companies, rapid consolidation has occurred, and children's media is dominated by Viacom, Disney, Fox, and Time Warner. Indeed, it is estimated that five media corporations now control the majority of U.S. media outlets (Bagdikian 2004). The annual revenue streams of these companies are enormous – Viacom, for example, has reported annual revenues exceeding \$25 billion; last year Coca-Cola earned just under \$22 billion. The companies themselves are valued at hundreds of billions of dollars.

These corporations not only have enormous economic power, but their political influence has never been greater. They have funneled unprecedented sums of money to political parties and officials. For example, between 1995 and 2002, Philip Morris gave more than \$9 million dollars to the two political parties, with the bulk (\$7.8 million) going to the Republicans. Time Warner gave more than \$4 million, Disney \$3.6 million, and the U.S. Sugar Corporation gave \$2.3 million (Schor 2004). For three decades, corporate power and influence have been expanding.

The power wielded by these corporations is evident in many ways, from their ability to eliminate competitors to their ability to mobilize state power in their interest. Consider developments relating to food. In 2005, the expert panel advising the government on revisions to federal nutrition guidelines, a majority of whom had strong links to industry, proposed guidelines that made no mention of limiting sugar consumption, despite its role in rising obesity. While sugar did eventually appear in the final guidelines, after protests by activists, it is buried inside the report under carbohydrates (see OMB Watch 2004). The sugar industry has also bullied the WHO with threats that their anti-obesity initiative would result in a withdrawal of U.S. funds to the industry. Agriculture and food lobbies have pushed through food disparagement laws in twelve states where they are politically powerful. Oprah Winfrey was sued by a group of Texas cattlemen under their 'veggie libel law' after she did a show on Mad Cow Disease. Biotech giant Monsanto not only used its clout to have recombinant bovine growth hormone approved by the Food and Drug Administration, despite the fact that it is banned in every other industrialized country for its links to cancer and early puberty, but the company has pressured the United States Department of Agriculture to prevent farmers from informing consumers that they do not use the hormone (Mohl 2003, Schor 2004). In schools, the soft drink companies have demanded exclusive access. The companies tout 'nutrition education' as the solution to poor diets and obesity, but have fiercely resisted government attempts to require labeling on their products. (For more on the political clout of Big Food, see Nestle 2002, Schor 2004.)

Recent actions of the FTC also illustrate the growing reach of corporate power. In early 2005, the FTC dismissed Commercial Alert's petition to require disclosure of product placements in television. The rationale for the petition was that

product placement is a form of advertising, about which consumers have the right to be informed. The FTC's refusal to act not only violates its longstanding view that advertising should not be deceptive, but also that ads to children should be clearly marked and identifiable as such. A second example is the failure of the FTC to take action against alcohol companies in the face of evidence that they have failed to comply even with their own voluntary guidelines (Schor 2004). Meanwhile, at the FCC (Federal Communications Commission), the agency only belatedly acted on the fact that major networks have routinely been in violation of rules regulating the maximal amount of ad time per hour.

If the earlier arguments about harms are correct, then children's enhanced market clout has earned them a powerful set of enemies. And as childhood becomes more completely commercialized, or more accurately, corporatized, those harms are likely to grow. Indeed, I argue a strong version of this point. *The unchecked growth of corporate power, and its fusion with state power, has led to a situation in which children's interests and well-being cannot be adequately ensured.* What children eat, the programming they watch, the toys they play with, the curriculums they learn in schools, perhaps the name of their school gymnasium (or school), and even the books they read (M&Ms or Cheerios counting book) are provided by companies whose commitment to their welfare is minimal or absent. Furthermore, even corporations whose products are relatively benign are deeply and profoundly entwined through licensing, co-branding, and other financial ties with companies whose products are not (e.g., Big Food). Political developments since 2000, and since November 2004 especially, have made children more vulnerable. Public policy to protect children, which for decades has been the basis of society's response to problems generated in the market, will not be forthcoming. This is the new reality that children's advocates must confront.

Corporate and state abdication of responsibility is rationalized on the grounds that responsibility for adverse child outcomes (e.g., obesity, psychological disorders) lies with parents. Both the ad agencies and their client companies take this point of view. The corporation's mandate is to make money, the government's is to help them do so. While sometimes corporations act in superficially pro-social ways which might seem to indicate responsibility (e.g., funding exercise programs or positive nutritional messages), they are usually quite open about the fact that they are acting to forestall regulatory action, and avoid adverse publicity, rather than because they are willing to accept responsibility for the consequences of their actions. However, the industry position relies on an excessively 'heroic' view of parents, and their ability to prevail against the corporate giants. Indeed, parents are losing control over their children's environments in profound ways. This is due to a number of factors, including the concerted attempts of the corporations to wrest that control. At the core of the corporate strategy is the attempt to undermine parental authority, through direct targeting of children, so-called 'nag factor' marketing, deliberate anti-parent messages, and infiltration of parent-free environments such as schools. (See Nader 1996 and Schor 2004 for details on



the deliberate undermining of parental authority.) These activities are the components of the 'transformation of family dynamics' discussed above and they reveal that industry's stance is self-serving and hypocritical.

Economic pressures, such as the need for households to work many more hours to support themselves have also undermined parental control. Between 1979 and 2000, the average married couple aged 25-54 with children added 388 hours of work to their annual schedule (Mishel et al. 2003, Table 1.27, p. 100). Furthermore, the parental responsibility position does not protect the millions of children whose parents are either unable or unwilling to shield them from corporate-induced harms. Does the state not have a responsibility to those children? It acknowledges its role when parents fail to prevent or engage in violence, neglect and sexual abuse, situations that rarely directly involve a corporate role. The refusal to address corporate-induced harms is inconsistent, and a powerful example of corporate power.

Where does this leave us? Conventional remedies such as ad bans may be heuristically useful to build support for more broad-reaching measures. But activists need to be clear about the scope of the problem and the profound structural changes that are necessary. I would argue that doing well, indeed, even the lesser goal of doing right by children now requires a direct challenge to the status, legitimacy and power of the corporations that sell to them. The liberal assumption that the harms of the market can be mitigated by state policy is no longer tenable. There is ample evidence that these harms are not being addressed, nor will they be any time soon. Children's advocates who have failed to confront industry need to re-think their strategies. The National PTA's (Parent Teacher Association) acceptance of a large donation from Coca-Cola and putting Coke's top lobbyist on its board, and the Pediatric Dental Association's acceptance of money from Coca-Cola are examples of actions which will make these organizations part of the problem, rather than part of the solution (Burros 2003). But even advocacy organizations that are not in danger of being corrupted by corporate monies need to recognize that the policy environment has shifted dramatically, and take on the power of the companies directly.

There is already a nascent movement against corporate power, which includes groups trying to revoke corporate charters, Nader-connected entities such as Commercial Alert, and elements of the global social justice movement such as the International Forum on Globalization. For those of us concerned about children, it is time to join it. It is also important not to legitimate the strategies the junk food companies have been pursuing to deflect attention and blame, but to ratchet up the pressure on them. One way is to expose the ties between the pariah corporations (tobacco companies) and those that still enjoy considerable public good will (packaged goods). As academics, we should refuse to take corporate monies for our research and oppose the rapid corporatization of the university. It is time to Just say no to developments such as junk food funded chairs (e.g., Kentucky Fried Chicken Professorship of marketing), and exclusive soft drink contracts. And we should do so explicitly on grounds of rolling back corporate

power and influence. Some of the groups active on this issue have had success organizing market-based campaigns against major corporations (see, for example, [commercialalert.org](http://commercialalert.org), [newdream.org](http://newdream.org), [dadsanddaughters.org](http://dadsanddaughters.org) and [commercialfreechildhood.org](http://commercialfreechildhood.org)). The corporations are exquisitely sensitive to consumer pressure and bad public relations, which provides opportunities for activism.

And what of the political landscape of this issue? Clearly, the Bush Administration, the Republican Congress, and the Republican Party represent corporate interests and are using the state to further those interests. But this is not a simple Republican-Democrat divide. While some Democrats have been stalwart advocates of children (Kennedy and Harkin has been particularly good on these issues), many are taking money from the corporations who are the problem. The Democratic Leadership Council, which has dominated the Democratic Party since the beginning of the Clinton Administration, is as tied to corporate cash and influence as is the Republican Party. The Clinton Administration did virtually nothing to prevent corporate induced harms to children. In a recent speech that addressed how children are affected by media and marketing, Hillary Clinton called for industry guidelines, rather than government action, a stance for which she drew praise from an ad industry spokesman (Teinowitz 2005). While Democrats may ultimately prove to be allies, it will only be if the grassroots activism awakened in the 2004 election translates into a substantial shift away from corporate influence within the party.

Intriguingly, religious and social conservatives have been allies on some of these issues. James Dodson and Phyllis Schlafly have participated in a number of anti-commercialism efforts. Conservative religious groups have been active against Channel One. The right wing family values movement has long criticized Hollywood for content (on issues connected to sex and profanity); it is also unhappy about negative depictions of parents, and marketers' successes in undermining parental authority. Richard Shelby, Republican of Alabama, co-sponsored a children's privacy act with Christopher Dodd that passed in 2000. Substantively, there is considerable common ground between the right and the left here. However, since Bush took office in 2000, the Administration has consolidated control over these groups, and the space for joint action has narrowed. The corporate agenda is once taking precedence over the social one, which means that religious conservatives' concerns will be pushed aside. Whether the grassroots of these movements understand that shift and are willing to respond to it remains to be seen, however, that seems unlikely.

## Note

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