

Protecting Children Online

Monitoring ad breaches that occurred on children's websites and YouTube channels in Q4 2020

Methodology



Summary

The Advertising Standards Authority (the ASA) is the UK's independent advertising regulator. We have been administering The UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (written and maintained by the Committee of Advertising Practice) for 58 years and The UK Code of Broadcast Advertising (written and maintained by the Broadcast Committee of Advertising Practice) for 16 years. We are responsible for ensuring that advertising is legal, decent, honest and truthful.

The Advertising Codes include rules to protect people who are vulnerable, including children (which the Codes define as those aged 15 and under) and young people (those aged 16 and 17). They include rules on the scheduling and placement of ads to ensure that children and young people's exposure to particular categories of advertisements ('age-restricted ads') is appropriately limited.

The ASA is taking a proactive approach to monitoring and tackling instances where age-restricted online ads were not, in breach of the rules, targeted away from child audiences. From April 2020 we have run quarterly monitoring exercises to identify such breaches of the rules.

We are reporting publically on these figures, and sharing them with relevant industry groups. We are also contacting the advertisers to ensure the ads are removed and that they review and, as necessary, amend their practices to ensure they target their ads away from child audiences in future.

After twelve months we will reflect and report on any trends we have seen and the outcome of the compliance action taken against advertisers.

Through this proactive approach the ASA is seeking to build a culture of zero tolerance for age-restricted ads appearing on websites and YouTube channels aimed at children, and on websites and YouTube channels attracting a disproportionately large child audience.

Rules relating to the targeting of ads to children

The UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (CAP Code, Edition 12)¹ includes rules on the placement of ads for particular product categories to ensure that children and young people's exposure to ads for these products is appropriately limited.

Our monitoring relates to the following product categories:

Category: Weight control and slimming

Section 13 of the CAP Code² applies to marketing communications for weight control and slimming foodstuffs, aids, (including exercise products that make weight-loss or slimming claims), clinics and other establishments, diets, medicines, treatments and the like. The rule relating to the targeting of such ads states:

13.3 *Marketing communications for any weight-reduction regime or establishment must neither be directed at nor contain anything that is likely to appeal particularly to people who are under 18 or those for whom weight reduction would produce a potentially harmful body weight (BMI of less than 18.5 kg/m²). Those marketing communications must not suggest that being underweight is desirable or acceptable.*

Category: HFSS (foods and drinks High in Fat, Salt or Sugar)

Section 15 of the CAP Code³ relates to food, food supplements and associated health or nutrition claims and includes rules which relate specifically to the advertising of HFSS products. These are food or soft drink products that are assessed as High in Fat, Salt or Sugar in accordance with the Department of Health nutrient profiling model⁴. An ad is considered to be an HFSS product ad if it features an HFSS product, or is brand advertising that has the effect of promoting an HFSS product. CAP Advertising Guidance on *Identifying brand advertising that has the effect of promoting an HFSS product*⁵ provides more information.

The rule relating to the targeting of such ads states:

15.18 *HFSS product advertisements must not be directed at people under 16 through the selection of media or the context in which they appear. No medium should be used to advertise HFSS products, if more than 25% of its audience is under 16 years of age.*

Category: Gambling

We have used the category heading "Gambling" as a shorthand for both gambling and lottery ads.

¹ <https://www.asa.org.uk/codes-and-rulings/advertising-codes/non-broadcast-code.html>

² https://www.asa.org.uk/type/non_broadcast/code_section/13.html

³ https://www.asa.org.uk/type/non_broadcast/code_section/15.html

⁴ <https://www.gov.uk/government/publications/the-nutrient-profiling-model>

⁵ <https://www.asa.org.uk/resource/hfss-product-ads-and-brand-ads-identification.html>

Section 16: Gambling of the CAP Code⁶ defines the term “gambling” as meaning betting and gaming, as defined in the Gambling Act 2005, and spread betting. A "spread bet" is a contract for difference that is a gaming contract, as defined in the glossary to the Financial Conduct Authority Handbook. The rules in this section apply to marketing communications for "play for money" gambling products, and for "play for free" gambling products that offer the chance to win a prize or explicitly or implicitly direct the consumer to a "play for money" gambling product.

Section 17: Lotteries⁷ of the CAP Code applies to the marketing communications of the National Lottery and 'large' society lotteries licensed and regulated by the Gambling Commission and, in the case of 'small' society lotteries, those promoters registered with local authorities in England and Wales or licensing boards in Scotland. This section also applies to marketing communications for lottery products that are licensed and regulated by the Gambling Commission for National Lottery products.

The rules relating to the targeting of such ads state:

16.3 *Marketing communications must not:*

16.3.13 *be directed at those aged below 18 years (or 16 years for football pools, equal-chance gaming [under a prize gaming permit or at a licensed family entertainment centre], prize gaming [at a non-licensed family entertainment centre or at a travelling fair] or Category D gaming machines) through the selection of media or context in which they appear.*

17.14 *Marketing communications for lotteries should not be directed at those aged under 16 years through the selection of media or context in which they appear.*

Category: Alcohol

Section 18: Alcohol⁸ of the CAP Code applies to marketing communications for alcoholic drinks or those that feature or refer to alcoholic drinks. Alcoholic drinks are defined as drinks containing at least 0.5% alcohol. The rule relating to the targeting of such ads states:

18:15 *Marketing communications must not be directed at people under 18 through the selection of media or the context in which they appear. No medium should be used to advertise alcoholic drinks if more than 25% of its audience is under 18 years of age.*

Category: E-cigarettes & tobacco

Section 21 of the CAP Code⁹ relates to marketing communications for tobacco products and for rolling papers and filters, and marketing communications which feature rolling papers and filters or have the effect of promoting smoking.

⁶ https://www.asa.org.uk/type/non_broadcast/code_section/16.html

⁷ https://www.asa.org.uk/type/non_broadcast/code_section/17.html

⁸ https://www.asa.org.uk/type/non_broadcast/code_section/18.html

⁹ https://www.asa.org.uk/type/non_broadcast/code_section/21.html

Section 22: Electronic cigarettes of the CAP Code¹⁰ defines the term “e-cigarettes” as a product that is intended for inhalation of vapour via a mouth piece, or any component of that product, including but not limited to cartridges, tanks and e-liquids.

The rules relating to the targeting of such ads state:

21.1 *Tobacco products may not be advertised to the public.*

21.5 *Marketing communications for rolling papers or filters must not be targeted at, or be likely to appeal to, people under 18. Anyone depicted in a marketing communication for rolling papers or filters must be, and be seen to be, over 25. No medium may be used to advertise rolling papers or filters if more than 25% of its audience is or is likely to be under 18. No direct marketing communication for rolling papers or filters may be distributed to anyone under 18.*

22.11 *Marketing communications must not be directed at people under 18 through the selection of media or the context in which they appear. No medium should be used to advertise e-cigarettes if more than 25% of its audience is under 18 years of age.*

Rule 22.11 applies to marketing communications for, and which refer to, e-cigarettes and related products, including but not limited to e-shisha and e-hookah products, whether or not they contain nicotine. It applies to e-cigarettes sold as consumer goods as well as those which are licensed as medicines by the MHRA.

22.12 *Except for media targeted exclusively to the trade, marketing communications with the direct or indirect effect of promoting nicotine-containing e-cigarettes and their components which are not licensed as medicines are not permitted in the following media:*

- *Newspapers, magazines and periodicals*
- *Online media and some other forms of electronic media*

Factual claims about products are permitted on marketers’ own websites and, in certain circumstances, in other non-paid-for space online under the marketer’s control. Please refer to the [Advertising Guidance](#).

Rule 22.12 relates only to unlicensed, nicotine-containing products.

¹⁰ https://www.asa.org.uk/type/non_broadcast/code_section/22.html

Methodology and data sources

For our Q4 2020 report the ASA used data collated by research agency Nielsen's media monitoring tool Portfolio UK¹¹ between 1 October 2020 and 31 December 2020¹².

Nielsen's monitoring tool uses 'spider technology' with a neutral online browsing profile that captures ad creatives served on over 1,000 websites and YouTube channels multiple times a day.

Our analysis comprised ads included in the market and sub-market categories used by Portfolio UK which correlate with the age-restricted product categories defined by the Code. Each ad was individually reviewed to check that it met the criteria defined by the Code for the relevant product category.

'Spiders' with a neutral online browsing profile such as those used by Nielsen's monitoring tool do not, inherently, have a browsing history that could identify them as a child or adult web user. As advertisers placing age-restricted ads are required, under the Code, to demonstrably target their ads away from child audiences, our methodology assumes a breach of the Code has occurred in circumstances where the ad has been delivered to or 'seen' by the spider on children's websites or YouTube channels.

For the purposes of this monitoring exercise, the ASA defined 'children's websites' and 'children's YouTube channels' as those that are aimed at children and young people or which attract a disproportionately high audience of children and young people.

Determination of whether a website or YouTube channel is aimed at children and young people

The ASA determined whether a website or YouTube channel is aimed at children by taking into account two factors. The first was through reviewing the website or channel in question and taking into account the style, presentation and content. We looked for themes and content that were clearly designed to be engaged with by children and young people or highly likely to appeal disproportionately to children and young people compared to adults. This included, for example, bright cartoon-style imagery and content, games suitable for or of a skill-level appropriate for children and young people, and editorial content, stories and themes focused towards children and young people.

The second factor, applied to websites only, was whether Portfolio UK categorises a website into one of its demographic groups covering children and young people: "Children (under 12's)" or "Teens (13-19)". This categorisation is relevant only to websites because Portfolio UK does not apply such categorisations to the YouTube channels it monitors.

¹¹ Portfolio UK's database provides detailed information on advertising activity by media, covering television, press, radio, outdoor, cinema, direct mail, door drops and the online market including online display, digital video and emails ads. This includes ads served in and around digital video content such as YouTube. It reports advertising expenditure data as well as information on the creative and placement of ads by channel, site, station, etc. The data is categorised by industry sector, enabling analysis of activity by market, sub-market and advertiser.

¹² In the Q2 2020 and Q3 2020 reports, while technical enhancements were being carried out on the Portfolio database we sourced data for online display ads using Nielsen's Ad Dynamix database. Those enhancements were completed in August 2020 and we now source all our data, for online display and YouTube ads, from Portfolio. Both Nielsen databases now use the same spider technology.

Determination of a disproportionately high audience of children and young people

The ASA used Comscore¹³ Media Matrix (MMX) data from October 2019 to review the audience profiles of websites and YouTube channels monitored by Portfolio UK where available.

Comscore MMX data, approved by UKOM, provides online desktop and laptop audience measurement data for individuals aged six or over. The Comscore MMX data tells us the proportion of all visitors to a website or YouTube channel, via a desktop or laptop, aged between six and 17 years old.¹⁴

The Code's targeting rules require that age-restricted ads must not be placed in a medium if more than 25% of its audience is under either 18 or 16 years of age, depending on the advertised product. However, we chose to take a cautious approach to the inclusion of website and YouTube channels based solely on audience profile data. Websites and YouTube channels which were not determined to be aimed at children and young people were therefore included in our reporting only if the audience profile was 35% or more for people aged 18 and under.

Age groups covered by Portfolio UK and Comscore MMX

The CAP Code's targeting rules relating to ads for HFSS products, lotteries and some types of gambling ads prohibit the placement of ads in media directed at children (those aged under 16) rather than to young people (those aged 16 and 17). However the Portfolio UK categories and Comscore MMX audience profile data do not correlate exactly with the Code's definitions of children and young people. Our findings therefore may include a small number of ads in these product categories which appeared in media directed at 16 and 17 year olds, or where the audience profile is marginally below 25% for those aged under 16. Such instances may be identified through our subsequent contact with the individual advertisers.

Summary of website / YouTube channel inclusion tests

Websites were included in the monitoring exercise if:

- The website was aimed at children and young people and was categorised by Portfolio UK as being for "Children (under 12's)" or "Teens (13-19)"; or
- The website audience profile was between 25% and 35% for people aged under 18 according to Comscore MMX data, and the website was categorised by Portfolio UK as being for "Children (under 12's)" or "Teens (13-19)", or the website was aimed at children and young people; or

¹³ To the end of 2020, Comscore was the provider of UKOM endorsed, industry standard data for online audience measurement in the UK. It uses a hybrid approach to its methodology, combining a metered panel with data from websites, applications and video tags. Panellists provide demographic information about themselves and their household and a piece of software tracks visits on their device(s) to websites and apps.

¹⁴ Comscore also collects audience measurement data in relation to smartphone and tablet usage (Comscore Media Matrix Multi-Platform data) but this covers full data only for those aged 18 years and over, partial data for those aged 13 and over, and no data on those aged under 13 years. Because our focus is on those aged up to 18 years old, we considered this data was not sufficiently relevant for the purposes of our monitoring exercise.

- The website audience profile was 35% or more for people aged under 18 according to Comscore MMX data.

YouTube channels were included in the monitoring exercise if:

- The YouTube channel was aimed at children and young people; or
- The YouTube channel audience profile was 35% or more for people aged under 18 according to Comscore MMX data.

Websites we monitored

Websites (49)	Aimed at children and young people	Portfolio UK Children (under 12's) or Teens (13-19) categorisation	Audience profile over 25% U18 (Comscore MMX data)
addictinggames.com			✓
agame.com	✓	✓	✓
bgames.com	✓	✓	
boomerangtv.co.uk	✓	✓	✓
cartoonnetwork.co.uk	✓	✓	✓
coolmath-games.com	✓	✓	✓
cprewritten.net	✓		✓
cutezee.com	✓	✓	
disney.co.uk	✓	✓	
dolldivine.com	✓		✓
dressupgames.com	✓		✓
dressupwho.com	✓	✓	
flipline.com	✓		✓
freegames.net	✓		✓
games.co.uk	✓		✓
gameslol.net	✓		✓
gamessumo.com	✓		✓
girlgames.com	✓	✓	✓
girlsgogames.co.uk	✓	✓	✓
hideout.tv			✓
iogames.space	✓		✓
justbuild.lol			✓
kbhgames.com	✓		✓

kibagames.com	✓	✓	
kidzworld.com	✓	✓	
mafa.com	✓		✓
minecraftskins.com	✓		✓
miniclip.com	✓		✓
neopets.com	✓	✓	✓
nick.co.uk	✓	✓	✓
nickjr.co.uk	✓	✓	✓
nicktoons.co.uk	✓	✓	
ninjakiwi.com	✓		✓
pencilkids.com	✓	✓	
planetminecraft.com	✓		✓
pokemondb.net		✓	✓
poki.com	✓		✓
primarygames.com	✓		✓
rhymezone.com	✓	✓	✓
seventeen.com	✓	✓	✓
shmoop.com	✓		✓
silvergames.com	✓		✓
stardoll.com	✓	✓	✓
teenvogue.com	✓	✓	
thesimsresource.com			✓
totaljerkface.com			✓
twoplayergames.org	✓		✓
y8.com	✓		✓
zombsroyale.io	✓		✓

YouTube channels we monitored

In Q2 and Q3 2020 we monitored seven YouTube channels. Portfolio UK has now added more channels, which has allowed us to expand our monitoring to twelve channels. The new channels monitored in Q4 2020 are asterisked below.

YouTube channels (12) ¹⁵	Content aimed at U18s	Audience profile over 35% U18 (Comscore MMX data)
* Baby Doli – ToyPudding https://www.youtube.com/user/toypudding	✓	
Boomerang UK ¹⁶ https://www.youtube.com/c/BoomerangUK	✓	
Cartoon Network UK youtube.com/user/cartoonnetworkuk	✓	✓
* ChuChu TV Nursery Rhymes & Kids Songs https://www.youtube.com/c/ChuChuTV/	✓	
Dude Perfect ¹⁷ youtube.com/c/DudePerfect		✓
jeffreestar youtube.com/user/jeffreestar		✓
* Little Baby Bum – Nursery Rhymes & Kids Songs https://www.youtube.com/user/LittleBabyBum	✓	
* Masha and The Bear https://www.youtube.com/user/MashaBearEN	✓	
Nickelodeon Jr. ¹⁸ youtube.com/user/nickjr	✓	
Rosanna Pansino youtube.com/user/RosannaPansino		✓
* Ryan’s World https://www.youtube.com/c/RyanToysReview	✓	
The Wilsons! / Wilson Family Clips ¹⁹ https://www.youtube.com/channel/UC8Nw4Vk-fFem3Wtq65QlpYQ	✓	

¹⁵ From 7 October 2020 YouTube introduced a new policy that HFSS ads must not be served to non-logged-in users.

¹⁶ Channel featuring content from the same creators listed as [youtube.com/channel/boomerang](https://www.youtube.com/channel/boomerang) on Portfolio UK

¹⁷ Channel featuring content from the same creators listed as [youtube.com/user/corycotton](https://www.youtube.com/user/corycotton) on Portfolio UK

¹⁸ Channel featuring content from the same creators listed as [youtube.com/user/nickelodeonjuniorfr](https://www.youtube.com/user/nickelodeonjuniorfr) on Portfolio UK

¹⁹ Channel featuring content from the same creators listed as [youtube.com/channel/famtaastic](https://www.youtube.com/channel/famtaastic) on Portfolio UK