Canadian Regulatory Standards and Governance

of Children's Advertising Practices

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ABSTRACT

Canadian Regulatory Standards and Governance of Children's Advertising Practices
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Entrenched in signifying practices, advertising is more than a brand selling its products or services to an audience; it is an indication of wider social and cultural structures, relationships, and processes. For children, advertising has invariably deep consequences, in that its ubiquity can form the social contours of childhood and act as a site for broad cultural negotiations. Through a historical survey of children's cultural sentimentalization and the simultaneous formation of their hypercommercialized media environment, this thesis is attentive to the role that Canadian public policy and legislation play in regulating child-directed commercial messaging, and how this governance fundamentally shapes, and is shaped by, discursive tropes of the child consumer. Emphasis is placed on investigating how boundaries of contemporary product placement regimes are set, as they operate across both broadcast television and streaming services in Canada. This research also contemplates a more general inquiry into policies pertaining to the food and beverage industry. As the Canadian media landscape is the focus of this research, Advertising Standards Canada ("ASC") and the Canadian Radio-television and Telecommunications Commission ("CRTC") are examined to highlight the complicated and political nature of policy-making. Doing so acknowledges the ways in which institutions draw on social categories, resources, and meanings, which simultaneously mould the individual and their relationship with the state. Competing jurisdictions, namely the British and American industries, are used as points of comparison.

DEDICATION

This thesis is dedicated to my family.

To mom and dad. Anything I write here will be inadequate in expressing my love and profound appreciation for you both. I have benefitted immensely from being raised by two loving, value-driven, and thoughtful people. Your qualities have always been those I aspire to uphold. Bearing witness to your partnership, one between a strong woman and a man who empowers her, has been the greatest example of love I could hope for. Thank you for your unwavering belief in me.

To my brothers, Oliver and Evan, for their grounding humour, and for giving me the space to be wholly understood. To say that you have both been my greatest gifts would be an understatement.

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INTRODUCTION

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> The shadow that marketing casts upon our most cherished means of cultural expression is now too ominous to be viewed naively. (Kline, 1993, p.23)

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1.1 Tracing the issue at hand

Launched in 2007, Sporcle is the world's largest trivia website. No matter your interests or self-proclaimed expertise, Sporcle seemingly has a trivia game for you. The site garnered notable popularity amongst my friend group throughout our middle school years, occupying our free time and stimulating friendly banter. As I was only 12-years-old at the time, I don't remember most of my favourite quizzes. Nonetheless, one stands out to me today: The Corporate Logos Quiz.

The premise is simple. On a six-minute timer, the player is asked to label thirty-six logos that appear on a grid resembling a BINGO sheet. For every brand the user recognizes, they type the name into the game's search bar and the respective box is checked by the system. No hints are provided. Some logos might be considered an easy point: the McDonald's golden arches, the Audi rings, or the Nike checkmark. The more challenging and perhaps contextual logos could range from brands like The Marriott hotel chain or John Deere agricultural manufacturing. Today the site states that the average score is 68% brand recognition.

The depth of people's brand awareness has always fascinated me. There are certain images, slogans, and even fonts that have been embedded into our society's collective consciousness. Beyond the sheer size of McDonald's compared to other fast-food enterprises, we have attained a deep and instinctive brand recognition for the McDonald's yellow M. Although outwardly difficult to pinpoint the origin of this collective branded knowledge, the introduction of manifold marketing strategies from a young age is likely a significant contributor. Whether it be highway billboards, television commercials, or more subtle cross-promotional tactics, we become inextricably linked to the hypercommercialized world that surrounds us, leading to a deeply forged connection with brands and often a profound identification with our role as consumers. Indeed, some logos are able to eclipse their initial purpose, as instead of solely representing the brand in question, they become widespread symbols of power, status, or politics. For these reasons, the McDonald's golden arches would be a guaranteed point for most Sporcle players.

If, in fact, McDonald's can be considered the epitome of brand notoriety, I wonder how a hotel chain might fare in comparison. How many middle-schoolers knew the Marriott logo when I played the Corporate Logos Quiz? I may recognize it today, but did I know it then? If not, when did I learn it?

Although some may be skeptical whether a 12 or 13-year-old could name even one hotel chain logo, marketing executives might insist otherwise. In 2000, Embassy Suites Hotels, a subsidiary of Hilton Hotels, signed a $20 million three-year promotional agreement with Viacom's children's network Nickelodeon (Foster & McChesney, 2003). Shortly after the deal was finalized, a spokesperson for Embassy Suites Hotels stated how they expected the

transaction to reinforce their position as a family friendly hotel. What constituted the "promotional agreement" was not specified. Regardless of their rationale, a hotel chain's desire to market to children appears superficially unnatural, and yet, their unusual contractual agreement with the children's network is far from an anomaly across other industries. Indeed, one year later, Ford Motor Co. confirmed a three-year deal with Nickelodeon to air their child-safety campaign, and moreover, to sponsor the Blue's Clues Live Tour for a year. Although a car company might be considered an odd pairing for this kind of event and audience, an agreement of this nature proves to be a profitable investment for Ford Motor Co., as children have been known to influence 40% of adult purchases accounting for approximately $150 billion in the United States alone (Foster & McChesney, 2003).

Beyond these strange partnerships, a plethora of arrangements also exist between children's networks and brands that are more clearly appealing to children. In 2002, the computer hardware company Gateway entered into a "broad marketing agreement" with Nickelodeon to decorate their computers with characters from treasured series like *Rugrats* and *Blue's Clues* as a way to incentivize children's interest in their gadgets (Gateway, 2002). This "multi-year alliance" effectively launched the computers as they became best-selling items among children, and ultimately illustrated the power of character licensing. Years later in 2018, the international toy manufacturer Mattel announced an exclusive partnership with Nick Jr. for their series *Thomas & Friends,* a series based directly off their beloved toy Thomas the Tank Engine. Nick Jr., a television channel owned by the Nickelodeon Group, features pay programming for two to eight-year-olds. In their agreement, Mattel bought more than just the airtime for the television series, but additionally, secured a "consumer products partnership" that included the franchise's licensed characters (Mattel Corporation, 2018). The financial components nor constitutive details of this contract were disclosed, the latter being a common contractual feature within the industry. Arguably the most extreme example of them all, in 2010 the television show *Zevo-3* launched on Nicktoons, a pay programming channel for six to twelve-year-olds also owned by the Nickelodeon Group. Based on three characters originally known from previously aired Skechers commercials, the series thematically followed plots that were, in essence, half-hour Skechers advertisements. Regularly referenced as a program-length commercial ("PLC"), the series produced by Skechers Entertainment presented an extreme version of product placement and brand integration, as both character names and outfits were tightly tied to the Skechers brand. Before the series was officially brought to air, as part of a back-to-school promotion, Skechers allegedly inserted 1 million DVDs into children's shoeboxes with hopes to encourage viewership (McLean, 2010). Although each of these examples communicate their commercial message differently, and stem from assorted industries, they all contribute to the hypercommercialized world of children's communication media, and are fundamentally exemplary of the trend to merge promotional and entertainment-based content as a way to access the child consumer. Brand integration techniques, whether in the form of visual, auditory, or narrative-based promotion have been treated lightly by regulatory institutions and their regulations, thereby facilitating relatively unregulated access to the child consumer. After learning about these partnerships, it is no longer surprising that a child might recognize a hotel chain's logo.

The presence of product placement in television, movies, and other forms of entertainment media is immense. Associate Director for Advertising Practices at the Federal

Trade Commission ("FTC"), Mary Engle (2005), defined product placement, interchangeably known as brand integration, as "a form of promotion in which advertisers insert branded products into programming in exchange for fees or other consideration" (p.1). Essentially, product placement can be as simple as advertisers visibly positioning a product or logo during a program, or it can be as brief as mentioning a brand or product within character dialogue. Product placement can also be the thorough use of a branded object in a story's narrative, placing it as a key or contributing element to the plot. Advertisers hope these branded insertions contribute to a perceived likability, awareness, and generate a positive endorsement for the item. As children are naturally less likely to think critically about the content they consume, they are an ideal audience for this kind of marketing strategy. Without the audience's instinct to discern entertainment from promotional content, series like *Zevo-3* are able to deeply incorporate the Skechers brand under the guise of leisure viewing.

The complexity and impact of marketing efforts like product placement deepen and benefit from the introduction of streaming services and the advents of technology. Ryff, an Artificial Intelligence ("AI") company, is an example of this phenomenon as it claims to provide a modern solution to product placement efforts. By utilizing their proprietary technology, Ryff contends to have mastered immediate brand integration into otherwise fully edited content, as a way to personalize the product placement (ryff.com, 2020). Practically speaking, this means that the brand of cereal appearing on a character's breakfast table could change based on the assessed audience demographic or the purchased time-frame. Roy Taylor, the founder and CEO of Ryff, recently explained that this new technology is capable of choosing from thousands of images kept in a digital cloud, "to be inserted, in real time, into online streaming content" (Glasner, 2020). Ryff's business model is exemplary of how technology and streaming services can advance brand integration well beyond contemporary regulations. Over-the-top media services ("OTT"), that is, Netflix or other online streaming services, are accessible to the consumer without cable or other broadcasting systems. This unique structure allows platforms like Netflix to operate without the restrictions of the *Broadcasting Act*, the current legislation in Canada that governs broadcasting services, thus facilitating marketing practices like Ryff to flourish until institutional reform occurs.

Ultimately, the intersection of *Zevo-3*'s brand integration practices, Ryff's AI technology, and the national regulation of OTT media services illuminates an existing gap in contemporary Canadian broadcasting policy and expounds our children's hypercommercialized media environment. Through a critical survey of the institutional contexts that facilitate these promotional processes, and by operationalizing medium-specific research, this study investigates and locates product placement schemes constructed for the child consumer within broad theoretical, cultural, social and institutional contexts, and consequently draws out discursive tropes that are produced by this hypercommercialized environment. By doing so, the ways in which broadcasting policy has historically and contemporaneously circumvented the governance of certain advertising strategies will be explored.

1.2 A time to act

In June 2018, the Government of Canada launched a review of three legislative

frameworks that shape the regulation of Canadian communications services: the *Broadcasting Act,* the *Telecommunications Act,* and the *Radiocommunication Act*. Nineteen months later, on January 29, 2020, the independent panel published the highly anticipated recommendation titled *Canada's Communications Future: Time to Act*. Janet Yale, the Chair of the Broadcasting and Telecommunications Legislative Review Panel, wrote a letter to Navdeep Bains, the Honourable Minister of Innovation, Science and Industry and Steven Guilbeault, the Honourable Minister of Canadian Heritage, to accompany the report. In this letter, Ms. Yale states that she, along with the rest of the panel, believe that the report's 97 recommendations will form a legislative framework that is resilient, flexible, and adaptable to the unforeseen and inescapable challenges of tomorrow and will provide the necessary tools to manage the future promises of communication technologies (Canadian Radio-television and Telecommunications Commission, 2020, p.3). The establishment of communication and media policy is always fraught with future uncertainties, positioning it as a challenging endeavour. As communication scholars Marc Raboy and Jeremy Schtern (2010) delineate, a new Information and Communication Technology ("ICT") will likely create conditions that were not contemplated during its initial design, which they identify as affordances. Through their collective research and consultation, this report attempts to anticipate, to the best of its ability, the unknown affordances woven into the *Broadcasting Act, Telecommunications Act,* and the *Radiocommunication Act's* policies. Ms. Yale concluded her introductory letter by stating that the single most important message the panel wishes to convey is one of urgency, since the aforementioned policy documents have not been amended since the early 1990s, ultimately reflecting a media environment that has since shifted, and consequently requires modification.

 As with much bureaucracy, the Canadian Radio-television and Telecommunications Commission ("CRTC") enacts changes slowly. The latest version of the *Broadcasting Act* was launched almost thirty years ago. This time gap, and the media changes of the ensuing decades, prompted the funding of *Canada's Communications Future: Time to Act* and other comparable policy reports. Broadcasting acts certainly have momentous consequences for national life. Section three of the *Broadcasting Act* states that Canada's broadcasting policies should serve to "safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada," and also claims to fulfill a role in the ongoing preservation and improvement of Canadian sovereignty and identity (Armstrong, 2016, p.13-15). It begs the question what kinds of sovereignty and identities are being put forward, and at what cost to whom.

 When *Canada's Communications Future: Time to Act* was released in early 2020, public response was largely negative. Jonathan Kay, a Canadian journalist writing for the *National Post*, remarks how the report's central goal was to address the piecemeal approach currently undertaken by existing media regulation. In his view, the report did not fulfill this objective, as instead he characterizes the recommendations as being "so broad that they invite suspicion about whether the real goal is social engineering" (para. 7). For Kay, inherent to the vagueness of the recommendations was a concerted effort to more tightly monitor digital communications, which he vehemently asserts is an example of a government agency attempting to regulate free speech. Peter Menzies, a former vice-chair of telecommunications for the CRTC, wrote an opinion piece in the *Globe and Mail* and elaborated on Kay's perspective by calling the recommendations profoundly outdated in their view of modern communications and a stunning bureaucratic

overreach. Similar to Kay, Menzies maintains that the report signals for an invasive media system. Both Menzies' and Kay's criticisms primarily referenced the panel's recommendation to redefine broadcasting regulation to include alphanumeric news, and not solely be compromised of audio and audiovisual content. If this were to be the case, any digital communication, ranging from newspapers to travel advisories, would fall under CRTC governance and consequently the federal agency could determine what is "trusted news." It is noteworthy that while the report encourages increased regulation across communication sectors, the recommendations largely evade consumer rights issues as it pertains to advertising practices. This omission calls into question how much weight *Canada's Communications Future: Time to Act* might carry in adequately shaping future policy within the industry.

When the independent investigation began, submissions were gathered from over 2,000 stakeholders, both private and public broadcasters, along with implicated companies like Google and Netflix (Glasner, 2020). Unsurprisingly, Netflix representatives responded to the inquiry by wholeheartedly disagreeing that Canadian communication policy should apply to foreign streaming services, most specifically vocalizing their discontent with the possibility of being included in the CRTC's Canadian content standards. Currently, Canadian content regulations implemented by the *Broadcasting Act* require broadcasters to meet benchmarks for employed services, whether that be written, produced, or other contributions, and also necessitates broadcasters to air a certain percentage of Canadian-based content. It is curious that most of *Canada's Communications Future: Time to Act's* recognition of streaming governance was limited to the topic of Canadian content regulations, as opposed to the broader role OTT media services fulfill in the national communications industry. Under the summary of recommendation 51 of the report, the panel writes that Netflix was the highest subscription video on demand ("SVOD") service in Canada, and it was estimated that their revenues surpassed $1.6 billion in 2018, representing 65 percent of SVOD revenues (Canadian Radio-television and Telecommunications Commission, 2020, p.122). Since streaming services like Netflix create a more dynamic media environment that is not reflected in Canada's current broadcasting policy, reports like *Canada's Communications Future: Time to Act* ought to reflect the breadth of these platforms' roles. Instead, the changes that recommendation 51 describes for OTT media services focuses on "core elements" relating to the balance between the French and English language, providing equity to public, private, and community sectors, and the role that these forms of media ultimately play in maintaining the fabric of the Canadian identity. Although all of these elements are salient in the design of dynamic media policy, the independent panel did not express the role that advertising strategies play on streamed platforms, ultimately recreating the existing landscape that does not hold advertisers accountable. This avoidance fuels the marketization of our children's media content.

Beyond the panel's evaluation of OTT media services in the Canadian media environment, *Canada's Communications Future: Time to Act* aimed to address a breadth of topics. From issues surrounding Canadian content production, realizing more affordable broadband services, embracing the global marketplace, or ensuring access for geographically or socially marginalized communities, the report recognizes a comprehensive range of issues that the panel believes current legislation fails to sufficiently regulate (Canadian Radio-television and Telecommunications Commission, 2020, p.7). Of these 97 recommendations, only two describe

consumer protection directly, and none speak to product placement or brand integration governance. In recommendations 96 and 97, the panel considers the necessity for the CRTC to create a separate institution to handle consumer complaints. This independent board would be mandated to report annually on trends emerging from the industry, in hopes that this structure would lead to an on-going review of the CRTC's policies for consumer protection, and accordingly, a more robust sense of diligence (Canadian Radio-television and Telecommunications Commission, 2020, p.198). Albeit designing an independent institution for this purpose would be beneficial, the CRTC could nevertheless create regulations that more proactively govern product placement practices, instead of simply implementing regulatory structures that only respond to their existence. Despite the report's intent to address concerns of both industry experts and Canadian citizens, the proposals put forward remain emblematic of a nuanced issue that permeates contemporary Canadian media policy, namely, that advertising techniques informed by the digital era and our all-encompassing culture of consumption are not entirely monitored by our country's communications regulators. Although reports like *Canada's Communications Future: Time to Act* are meant to act as a reference point for policy-makers aiming to reform individual policies or agencies that no longer suit the common experiences of Canadians, the CRTC would reaffirm certain gaps previously established in the *Broadcasting Act* if only these recommendations were adopted. Concerns arising from advertising practices, such as product placement or more general brand integration schemes, will be continuously and systematically avoided.

1.3 Regulatory decision-making and moral panics

Media can function as both a material and symbolic social resource, which for children, can be more complicated to discern due to their lack of media literacy and analytical reasoning (Carey, 1992). These qualities make media not simply a conduit for information transmission, but moreover, "institutionally embedded meaning-making tools that connect people across time and space" (Drotner, 2013, p.15). Media accordingly becomes a canvas for the present, but also the future, as children consuming these texts are crucial objects of social interest that are capable of harbouring and forming perceptions of the world based on their consumption habits. For a child to unlock "local meanings" within visual media, they require a degree of social participation that is not yet apart of their cultural vocabulary, meaning that their lack of media literacy places them as a more vulnerable audience (Olson and Rampaul, 2013, p.27). Although some critics view children's media as a "toxic" culture, proponents of a free market of children's media promote what they call "children's rights" (Wells, 2015). These scholars tend to believe participation in our media culture indicates an autonomy that can be beneficial to the child (Wells, 2015). Those who view children as competent social agents tend to advance frameworks that rest upon discourses of emancipation and empowerment. In contrast, Máire Messenger Davies (2010) contextualizes the child's intertwined existence with their media artifacts by writing, "our contemporary concerns with children and their media tend to focus particularly on their relationship with 'new' media. Children being themselves 'new,' and in the process of discovering the world, this connection seems persuasive" (p.16). This protection of "newness" mirrors the ideological perception of guarding the innocence of childhood, a discourse that has

developed in the global North across centuries.

Efforts to mediate children's media consumption is characteristic of a moral panic that surrounds the co-construction of childhood. A term originally coined by Marshall McLuhan (1964) and further developed by British cultural studies academic Stanley Cohen (1972), a moral panic is sociologically defined as an occasional or random series of episodes of public concern that are fuelled and amplified by a society worrying a value or virtue is at risk. Often the moral panic of children's hypercommercialized media environment is catalyzed by concerned parents and advocacy groups. Kirsten Drotner's (2013) primary claim is that modernity witnesses an on-going construction and shaping of childhood, youth, and media. Understanding and measuring the various ways in which media represent children and childhood provides us with the inquisitive lens to analyze wider societal discourses regarding what is deemed "proper" media for youth, and how these moral panics are substantiated (p.15). Childhood, then, inherently becomes an unstable concept, one that is shaped by historical and sociological characteristics, and ultimately evolves alongside a societal ontology. Childhood seemingly becomes a space of "normative projection," as boundaries of morality are reinstated and reaffirmed through the analytical prism of the time (Drotner, 2013, p.20). British media scholar Patricia Holland (2004) notes how imagery of innocence is articulated by popular media, in turn naturalizing selective discourses of the child. Holland is largely influenced by Hugh Cunningham (1995) who believes adults project their fears and desires onto children's media, leading to certain expressions being "othered" versus normative over time. Children are capable of gaining a mastery of their society through their critical consumption and media creation, and thus, it is within the responsibility of our civil servants to create public policy that reflects the needs and realities of children and their new media today (Davies, 2010).

Our children's content has not always been imbued with hyper-commercialistic incentives. Stephen Kline (1993) writes in his book *Out of the Garden: Toys, TV, and Children's Culture in the Age of Marketing*, "our cultural amnesia makes it appear as if television advertising has always been like this—as if children have always needed the right action toys to play with their friends, the right hero on their pillow-case" (p.264). This societal amnesia can be linked to the economic incentives that drive deregulatory efforts, on behalf of our neoliberal values and at the cost to our children. In order to successfully attain children's interest at a younger age, marketers have begun employing a wide range of techniques that go beyond conventional advertising (Buckingham, 2013, p.54). Anne Sutherland and Beth Thompson (2003) delineate how child audiences are desirable for advertisers as they are often prescribed three kinds of identities: first, to purchase products themselves, second, to influence their parents or family's buying decisions, and third, to be moulded to become a good future consumer. These new methods have instilled a renewed sense of urgency for scholars within the field, as a debate between the "empowered child" and the "victimized child" are at the core of the issue. More specifically, for the marketing of food and beverage consumer products, Charlene Elliott (2020) traces how the industry's institutional governance is intertwined with societal perceptions of certain items being perceived as "risk objects" to children. These foods and beverages are conceptually and politically bound to the ways they are marketed, and thus, in quoting Stephen Hilgartner (1992), Elliott notes that positioning children's food as "risky" relies on connections to discourses of danger and harm (p.44).

Policy-makers within Canada's communications sectors are tasked with balancing normative conventions that maintain our consumer culture, which for children, can have especially contentious outcomes. Indeed, regulatory texts can form the social contours of children's lives as broader cultural negotiations are reflected within these institutional arrangements. Daniel Thomas Cook (2010) views socialization as "culturation," and suggests that children are implicated into consumer culture by birth. Other scholars see children as active participants that do not passively receive the external influences (Ekström, 2006). Drotner (2013) encourages one to think beyond such considerations and instead contemplate how "that knowledge is used (or not used) in everyday social practice" (p.58). The purity that our culture wishes to place upon childhood cannot be obtained with the market relations that "surround and help to define it" (Buckingham, 2013, p.59). It is therefore not solely the advertising or marketing of children's interests, but the effort towards commercializing and privatizing all aspects of their life, whether that be their schooling, their leisure, welfare services or public broadcasting (Drotner, 2013, p.59). This disagreement "reflects broader assumptions about childhood - about what children are, or what they should be" (Buckingham, 2013, p.54). Due to our children's consumer culture being highly manipulative and powerful, policy and regulatory bodies should nonetheless have influence over the relationship, as often times, free market powers can be both socially and culturally destructive. Indeed, in any capitalist society, "almost all our social activities and relationships are embedded within economic relations" (Buckingham, 2013, p.58). As contemporary childhood has become an "always-already commercial childhood," it is incumbent on the public to critically assess how this shapes our children's minds and thoroughly evaluate the institutional standards that shape these experiences (Buckingham, 2013, p.59). The formation of public-policy at the institutional level is inherently imbued by the discursive frameworks of a society, which is reflected in *Canada's Communications Future: Time to Act,* amongst other Canadian regulatory decision-making and industry reports across the last few decades.

1.4 Chapter breakdown

As this research is concerned with the public policy that governs Canadian advertising practices, specifically its shaping of the child consumer in both broadcast television and streaming media environments, a discursive analysis of the respective regulatory processes is applied to better understand the signifying practices entrenched in these systems. Justin Lewis and Toby Miller (2003) discern how cultural policies are regimes that produce and animate institutions through governance and the "formatting public collective subjectivity" via what John Stuart Mill (1974) termed "the departments of human interests amenable to government control" (p.68). Lewis and Miller (2003) describe how this can invoke cultural hierarchies, wherein policy formations submerge within it more pragmatic discourses. Discursive tropes of consumer culture, childhood, and media consumption are representative of a collective idealized subjectivity within Canadian advertising practices. These policy orientations create meanings and transcend the individual's limitations within our culture (Lewis & Miller, 2003). Thus, a discursive analysis of governing institutions and their regulatory texts provides a model to identify the high degree of reoccurrence in these systems of reference, not only for common

behaviour, but also commonly experienced material realities and their significance. Ultimately, the feat for this research is to discursively draw out how the language employed in Canadian advertising policy documents assert language of interests, in turn creating a carefully crafted public perception.

Throughout this introductory chapter, I have provided examples of common advertising practices that are emblematic of a more pervasive concern: our children's hypercommercialized media environment. To accompany these case-studies, I reference a recent CRTC funded report, *Canada's Communications Future: Time to Act*, as it speaks to the current Canadian policy climate and the potential direction of future broadcasting regulation. I also define product placement and contextualize various core conceptual matters, such as how children's media has become a site of moral panic.

In chapter 2, I present literature that reflects the intersection of the political economy of communication and critical cultural policy studies, which leads me to describing the historic shift of childhood as a sociological concept in North America, and its role in informing and shaping our children's media environment in Canada. I also ground connections between power, discourse, and hegemony as it relates to industry advancements and broadcasting policy across the nation.

My third chapter analyzes the historical governance of advertising on broadcast television in Canada, and traces various trends within its governing frameworks, most specifically the food and beverage industry. I also reference the United States and Britain as points of comparison, both for their governing frameworks and historical regimes.

My fourth chapter recognizes the popularization of television as an entertainment medium, systemic elements of children's television consumption patterns, televised advertising models across time as it relates to "commodity flow," and more generally, the ecosystem of children's contemporary media environment.

Ultimately these foundational parts lead me to my fifth chapter, where I extrapolate discursive tropes from contemporary policy documents, including Advertising Standards Canada's ("ASC") *The Broadcast Code for Advertising to Children* ("*The Children's Code*"), their *Annual Ad Complaints Report* (2009-2019), and the corresponding *Consumer Complaint Procedure.*

I conclude this thesis by providing recommendations on and remarks about my findings. I reflect on how a commercial message is viewed in contemporary Canadian policy, and by returning to the CRTC's recent report *Canada's Communications Future: Time to Act*, how one may hypothesize where future policy is headed, most directly when considering OTT media services as simultaneously well-established and under-regulated. The United States and Britain are used as models of reference.

CHAPTER 2
THE PROMOTIONAL AND MATERIAL CULTURE OF CHILDHOOD

Culture is public because meaning is. (Geertz, 1973, p.12)

2.1 Canadian attitudes towards a consumer culture

A major Canadian survey conducted in 1978 found that 60 percent of respondents agreed with the following statement: "Most advertising is an insult to one's intelligence" (Canadian Radio-television and Telecommunications Commission, 1978). More than forty years later, notwithstanding industry innovation and vast resources invested in advertiser's creative processes, marketing messages remain frequently laden with stereotypical tropes, gimmicky appeals, and cheap exaggerated humour. Indeed, frustrations with the current culture of consumption seem to match the degree in which advertisements pervade our societies. With advertising being one of the most consistent bodies of material in the media today, it becomes seemingly unavoidable that some evoke unfavourable opinions. When similar marketing messages find their way to children's screens, however, they tend to incite heightened forms of discontent from the public sphere. As children have become a site for the battle of what it means to "make" a citizen, complex advertising forms create and substantiate a widespread culture of consumption by building lifelong consumers, and accordingly, generate concern and discontent from parents and advocacy groups alike. Academics have defined advertising as a vehicle of communication predicated upon a "multi-plexing form," one that embodies and absorbs symbolic practices, discourses, ideologies, and ultimately, an "unbounded range of cultural references," making it pervasive in both the literal and theoretical sense (Leiss et al., 1986, p. 145). Since these cultural texts act as conduits for meaning and power, it is compelling to consider and critique their role in crystallizing modern perceptions of childhood, and the unique experience of the child consumer within our culture of consumption. This research is more definitively interested in surveying the well-established conventions that governing authorities maneuver to dictate these practices.

The roots of Canada's culture of consumption are deep. Historian Lizabeth Cohen (2003), writing about the United States, deems the era of 1945 until present-day a "consumer's republic," one that has "an economy, culture, and politics built around the promises of mass consumption" (p.7). Cohen's description of a consumer culture defines its role as a dominant force in the organization of our societies, and moreover, one that entitles any citizen to desire and purchase commodities. Although Lisa Jacobson (2004) notes that our consumer culture's democratizing promises did not become entirely realized in practice, as capitalist systems have only magnified divisions of wealth, it nonetheless points to the broader incitement for incessant consumption as a way to fulfill one's inner desires. Embracing and seeking mass produced goods seems to be a defining feature of the twenty-first century, and yet, so much of its practices remain unregulated by government and industry policy. Raymond Williams (1963) describes advertising as existing on the margins of cultural institutions during the earlier phases of market society, and with time, shifted towards a prominent role in the world of business. By the late twentieth century, advertising "had become a quite new cultural phenomenon and was

characteristically being extended into areas of social, economic and explicitly political values, as a new kind of corporate cultural institution" (p.54). Today, advertising certainly exists in virtually all parts of our culture. Tim Wu (2016) also traces the way advertising slowly infiltrated the most intimate parts of citizen's lives by marking the transition towards consumerism becoming a central facet of North American culture. In his book *The Attention Merchants: The Epic Scramble to Get Inside Our Heads*, Wu asserts that throughout the early twentieth century, advertisers undertook a consistent selling approach that he separates into three goals. The first goal was to create "the desire for products that otherwise might not exist" (p.53). The second goal was that through branding, advertisers could create "loyalty for some maker . . . by creating the impression, valid or not, that something truly set it apart from others like it" (p.53). Finally, advertisers "targeted specific audiences" (p.53). These foundational objectives are continuously recreated in present-day advertising techniques and speak to the omnipresent role these messages have in Canadian society. By fulfilling a local and prominent space in our lives, advertising is an integral and powerful part of our modern culture.

Advertising communicates appropriated and transformed social symbols and ideas into a consumable cultural text, and promotional culture depends on these texts being woven into the fabric of social life. When these media forms are accepted and consequently imbued with cultural significance, they are capable of producing and communicating cultural discourses (Leiss et al., 1986, p.145). As one might imagine, the process of regulating these practices is nuanced and far-reaching. This regulatory struggle stems from the uniqueness of advertising's structural mediation, which can be discerned as a negotiation of industrial, cultural, and communication sectors that often creates distinctive concerns for social policy (Leiss et al., 1986). Theodor Adorno (1991) articulates this profound and far-reaching power in his description of the ideological influence of the culture industry. He writes that ideology is such that "conformity has replaced consciousness" (p.58). By identifying and establishing the status quo, Adorno understands the culture industry as one that "deals in falsehoods not truths, in false needs and false solutions, rather than real needs and real solutions" (p.58). In his own assessment of the interplay of ideology in cultural theory, Michel Foucault contemplates the regime of truth (Weir, 2008, p.1). By doing so, Foucault considers how representations in cultural texts do not denote truth or falsity, but instead, a "regime of truth," one that is believed, accepted, and has power to deny and repress certain performances. By borrowing ideas, language, and visual representations from historical literature and design, advertising practices recombine them into a culture of consumption (Leiss et al., 1986, p.145). Advertisers promise satisfaction through consumption, and it is left up to the taste cultures, lifestyle groupings, and market segments to decide upon distinctive consumption patterns that either respond, or fail to respond, to these regimes of truth. With the perpetual creation and consumption of advertisements in Canada everyday, a critical cultural policy lens provides the analytic perspective necessary to better understand our consumer culture's modes of functioning and flourishing, while also contemplating more distinct implications for the child consumer.

2.2 Critical cultural policy studies

Critical cultural policy studies aims to evaluate various connections between policy and culture, as it assesses policy as a cultural production that reflects distinct ideological and discursive objectives that continually shape our Zeitgeist. The sub-discipline of critical cultural policy studies has begun to embrace radically different theoretical and methodological approaches borrowed from other subfields of political science such as historical institutionalism, feminist analysis, social movement analysis, and Foucauldian analysis which has assisted the field in attracting serious scholarly inquiry. Public policy scholars are also borrowing liberally from other disciplines, including sociology and geography. Foucault's work and components of a sociological viewpoint support the interests of this research, as they provide tools to assess the deep discursive tropes embedded in common advertising practices and Canada's national broadcasting policy. Moreover, these perspectives present the analytic capacity to perceive how discourses materialize within consumer experiences.

A critical cultural policy analysis also allows for academics to employ an evaluative assessment of existing policies in order to create new systems that can formulate real world improvements in the public sector, for civil servants, and everyday civilians. This critical lens is thus conducive to an evaluation of Canada's communication systems and provides perspective on advertising's significance as both a commercial tool and cultural form. Also, critical policy studies intersects with critical cultural studies. In quoting James Curran (1996), Jonathan Hardy (2014) synthesizes ideas regarding cultural processes, specifically how culture makes us both individually and collectively, and how we in turn make use of culture. Lewis and Miller (2003) describe the cultural industries, which are deeply connected to communication sectors, as not only presenting a framework of representations of oneself but moreover of others, which validates particular kinds of existence and conduct. Stuart Cunningham (2003) elaborates upon Lewis and Miller's work by discerning that in order to adopt a critical perspective towards the cultural industries, it necessitates an appreciation of the impacts of economics, administrative law, cultural history, entertainment financing, government, and parliamentary procedures. The structures of the cultural labour market require oversight, for the networks of power and control overseeing cultural production are what shape cultural demand to fit a capitalist narrative (Garnham, 2000, p.43). Critical cultural policy studies provides the necessary insights to contextualize contributing institutionalized factors to Canadian cultural production processes, most specifically the interaction between television's financing systems and its corresponding governance.

Communication regulation aims to create connections between whose interests policies may serve and the discursive tropes that they embody. Hardy (2014) delineates how policy is rooted in "communications rights" that derive from democratic theories of communication, which adheres ideally not only to providers but to recipients and users of such systems. His work further describes how policy-making is a process by which political positions fight for "material advantages" and therefore ideological legitimization, leading to certain ideas becoming normalized and others problematized (p.178). Indeed, the tension of conceptualizing legitimate practices in this binary form exists at the centre of forming media policy. Hardy further

acknowledges how many media operate in what political economists label a "dual product market," one that functions by selling content to consumers, but moreover, by selling media audiences to advertisers (p.143). Therefore, the system does not solely adhere to the consumer's demands, but instead, a system that can amplify profit. This kind of framework requires governance and policies to ensure the consumer's experience remains respected. Hardy also describes numerous avenues that intersect with critical political economy scholarship, leading him to provide a description of the organization and funding mechanisms that contemporary media undergo in society. More specifically, Hardy's identification of advertising media as the leading ideological agency for capitalism, along with his references to Dallas Smythe's (1977) articulation of audiences being constructed into commodities, contribute to an understanding of present-day consumer culture, and more specifically, the experience of young consumers. Smythe notes how commercial media aim to cultivate a mood conducive to favourable reactions, whether that be through explicit or implicit advertising. This assertion speaks to contemporary product placement strategies, most directly in the ways they rely on implicitly linking imagery and consumer behaviour.

Intrinsic to examining regulatory efforts is the process of examining the boundaries between state and non-state actors and their modes of producing knowledge within policy. Francesca Scala (2019) employs the concept of "boundary work" by posing important questions regarding the blurring of boundaries between state and non-state actors, which have important implications for how we conceptualize knowledge. As Scala explains, boundary work theories are useful in explaining how "different disciplines, professions, and social organizations negotiate and maintain the boundaries that delineate their activities and spheres of influence and authority" (p.213). Scala's work assists this research in differentiating Canadian policy frameworks from competing jurisdictions, and moreover, helps identify the way our governing systems conceptualize knowledge surrounding the child audience differently than other demographics. In a special issue of *Policy Sciences*, Mary Hawkesworth (1994) notes that by,

> … fostering a critical examination of the role of social values in framing research questions, characterizing objects of inquiry, accrediting forms of explanation, demarcating credible evidence, and structuring models of argument, feminist scholarship offers traditional disciplines a means to increase sensitivity to error and to purge androcentrism from disciplinary paradigms. (p.110)

This research employs Hawkesworth's delineation of the feminist policy studies position through its ability to articulate the child consumer experience, in that they are similarly inadequately considered within regulatory measures. In the same way that androcentrism places men at the centre of a disciplinary paradigm, this research considers how existing broadcasting policy in Canada centres the adult experience. Moreover, for Angela McRobbie (1996) cultural policy is the "missing agenda" of cultural studies. In her work she offers a *program* for change in addition to a critique, as she works to contextualize the importance of a neutral cultural policy assessment. Lewis and Miller (2003) have responded to McRobbie's work by emphasizing that many contemporary policy studies are financed by governments and foundations, making them limited in scope and in need of the critique scholarship can offer. This viewpoint is useful to this study as it is emblematic of the limiting self-policing structures placed on advertisers within Canada's governing frameworks.

Politics are deeply embedded in the policy-making process. Michael Muetzelfeldt (1992) highlights the political nature of policy-making by acknowledging the ways institutions draw on social categories, resources, and meanings that simultaneously mould the individual and their relationship with the state. This evaluation identifies how managerial bodies differ in their governance across Canadian broadcasting channels, which Norman Fairclough (1993) suggests can speak to wider social and cultural structures, relationships, and processes. Moreover, Foucault's (1979) renowned analysis of knowledge and power definitively disputes the technocratic presumption that knowledge can be neutral. Power acting as "force relations" that shape categories can assist one in examining how policy is formed at different levels. An emphasis upon questions of difference and power reveals itself commonly in feminist policy perspectives, which considers the emancipatory potential of policy analysis (Paterson & Scala, 2015, p. 499). For this research, this disposition can be utilized to frame the advertising industry and the power dynamics of a child consumer.

Understanding the ways that institutions sustain hegemonic structures and identities is foundational to critical policy studies. In their chapter "Cultural Political Economy and Critical Policy Studies: Developing a Critique of Domination," Ngai-Ling Sum and Bob Jessop (2015) advance an exploration into the interconnected semiotic and structural aspects of social life through a combination of cultural political economy and critical policy studies. Sum and Jessop draw on Antonio Gramsci (1971) by referencing the importance in basing a critique of ideology and domination in the policy processes. Sum and Jessop state their efforts to overcome the often over compartmentalized analysis between semiosis/culture and structures/institutions by enacting an institutional analysis to semiosis, with the goal to challenge systems of power and control. In doing so, they describe cultural political economy ("CPE") position that emphasizes historical sensitivity. Also noteworthy is the disposition's recognition of various evolutionary mechanisms whose effects on policy may not necessarily be progressive or irreversible. CPE also compromises differing degrees of learning, whether that be individual, organizational, or structural in response to forms policy may take. By drawing on critical discourse analysis ("CDA"), Sum and Jessop advance how CPE posits both sense and meaning-making when theorizing how social relations come to be. Sense-making describes the shaping of "normativity" at the cognitive level, in turn identifying how knowledge is formed in immaterial ways, which substantiates efforts to explain the success or failures of policy decisions. Additionally, meaning-making refers to processes of signification that guide the constitution and construction of social worlds. Their previous work (Jessop 2004, 2009, 2012; Sum 2009, 2010; Sum & Jessop 2013) focuses on varying "economic imaginaries" that delineate the relationship between economic dynamics being embedded or articulated in "other socially constructed sense- and meaning-making perspectives in the natural and social worlds, such as ecological, spatial, temporal, gendered, national, scientific, and religious worldviews, ideational systems, and discourses" (Sum & Jessop, 2015, p.3). Both meaning and sense-making, as defined by Sum and Jessop, explicate the existing institutional framework and policy orientation of the Canadian broadcasting industry, and how advertising practices constructed for the child consumer within these mediums remain only moderately regulated.

2.3 Television governance and contemporary criticisms

Seeing as policy is a product that is guided by cultural and sociological forms of knowledge, and is simultaneously a medium through which institutions assert their power, critical policy studies is a framework that is concerned with the nature of how this knowledge shapes the creation of policy from its formative steps, to how knowledge directs the ways policies are interpreted and put to use (Fischer et al., 2015). In her book *The Television Code: Regulating the Screen to Safeguard the Industry*, Deborah Jaramillo (2018) employs both a CPE framework, while advocating for the implementation of a critical policy studies analysis when studying communication policy, as the cross-disciplinary approach reminds the researcher that policy formation is not a neutral exercise (p.5). As the name suggests, Jaramillo bases her writing on the *Television Code,* a set of ethical standards for television programming adopted from 1952 to 1983 in the United States. Contextualized within the field of policy studies, Jaramillo focuses on the code's critical interventions and effects within the industry. The book also leverages a poststructuralist discourse theory as a facet within critical policy analysis, a method that helps the researcher to "decode the relationship between power and exclusion in the creation of any policy practice or regime" (Howarth et al., 2016, p.6). By positioning policy within its underlying structures and discourses, the book's later chapters also place history in conversation with legal frameworks. Jaramillo's book is a useful exercise for this research, as it situates varying governing structures within normative societal discourses.

Measuring the ways in which the internet has shifted the Canadian media landscape and its corresponding institutional governance is extensive. The book *Regulating Screens: Issues in Broadcasting and Internet Governance for Children* (2013) written by André Caron and Ronald Cohen addresses the unique challenges of regulating the range of information and entertainment-based content on the internet, most specifically as it pertains to conventions within an evolving globalized system. Ranging from films to video games, Caron and Cohen provide an analysis of the unique child experience in the digital realm in France, Britain, and the United States. By summarizing and comparing existing legislation for children's internet consumption, Caron and Cohen conclude that television broadcasting systems are much "neater" than the Internet, as mechanisms of control are more easily employed on a set number of broadcasters versus multi-screen environments in family homes. This lack of "neatness" can be directly applied to the digital world of children's media, as established by the CRTC and other industry bodies. As this research is also interested in Canada's regulation of streaming services, Caron and Cohen offer a useful framework of assessment. In 1996, Caron wrote a book titled *Systemized Summary of Canadian Regulations Concerning Children and the Audiovisual Industry* with Annie Jolicoeur, which remains a pertinent reference point for this research, as it more methodologically details the history of various CRTC published reports that have shaped contemporary broadcasting policy, and focuses on programs of classification that reaffirm established discursive tropes within Canada's communication industries, and more specifically, television as a medium.

Watching television, or a series of "works" as Jonathan Culler (2011) has put it, involves a re-ordering of already existing codes, conventions, and materials (p.25). Culler, along with other academics who invoke a contemporary criticism lens, acknowledge the structured nature of television. Television is an institutional site that exists to translate the phenomena that is both

individual programs and the commercials that inevitably interrupt their transmission (Allen, 1987, p.6). This arrangement places viewership as a commodity that can be sold to advertisers. In turn, audiences participate in an ongoing negotiation with their viewing experience which facilitates an openness in interpreting the televised content (p.15). Contemporary criticism, moreover, supposes that individuals experience the world through systems of representation that condition perception and understanding (Allen, 1987, p.5). This theory of conditioning has similarities to beliefs put forward by Ferdinand de Saussure (1916), a renowned semiotician and linguist. Saussure understood our representational world as a conceptual system of similarity and difference, and thus, with no essential relation to reality. Indeed, Saussure viewed representations, meaning, and signs through their positioning within that structure. Robert Allen (2010), articulates how the television more precisely "constitutes the ever-changing point of convergence for those sign systems" (p.2). Television is consequently a cultural phenomenon wherein a multitude of varied and complex sets of discourses are managed and substantiated, which positions the medium as immensely powerful within Canada's media sector.

Television's rapid growth as a popular entertainment medium in the early 1950s injected scholarly vigour into theorizing its role in signifying larger cultural practices. Lynn Spigel (1990) notes that in postwar years, the television became a central figure in representing familial relationships, and that through time, normative representations on television did not necessarily reflect the public's response to television, but instead "they begin to reveal a general set of discursive rules which were formed for thinking about TV in this early period" (p.75). Accordingly, beyond promoting ideas and values, advertisers are directed by a set of discursive rules that align with the broader media context of the television. Allen (1987) poignantly writes in the introductory chapter to *Channels of Discourse: Television and Contemporary Criticism*, how there is never a process of being taught how to "read" television programs (p.2). For Allen, although these texts are an intersection of codes and protocols that have deep societal and political implications, they are purposefully naturalized for consumption. Allen elaborates upon this idea by describing how television, similar to other forms of entertainment like photography, cinema, or painting does not necessarily reflect the world, but rather, "constructs representations for the world on the basis of complex sets of conventions - conventions whose operations are hidden by their transparency" (p.2). Television, consequently, appears as it is: a set of programming segments meant to capture the interest and entertain the viewer. However, Allen encourage one to think of television not as a series of isolated works, but instead, fragments of time that link together cultural texts to create an unnoticed flow one into another. Partly motivated by economic factors, this formatting of commercial television is founded upon prolonging and growing an audience for the longest possible period of time. These efforts ultimately attempt to discourage an awareness of a schedule, leading to an encouragement for viewers to consume for longer. This argument held by Allen over thirty years ago remains meaningful to contemporary advertising practices, as the way product placement flows within today's television programming is a cultural phenomenon that is emblematic of similar strategies and motives.

Network television's ebb and flow structure, one that product placement benefits from, is described more precisely in the context of children's programming by Matthew McAllister and J. Matt Giglio (2005) in their book *The Commodity Flow of U.S. Children's Television*. McAllister

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and Giglio argue that the synergistic strategies of commercial media create the commodified nature of children's content, as there is an ongoing flow between entertaining the audience and selling goods. McAllister and Giglio are not the first to distinguish the connection between audience viewing patterns, television programming, and advertising methods. Noted by John Corner (1999), Williams introduced the concept of "television flow," a term that asserts television as both a technological and cultural experience. Television viewing often involves a continuous experience of images and sound, a trend that allows advertising to become naturalized when viewing. McAllister and Giglio (2005) identify other television strategies, ranging from television programming promotions, cliffhangers before commercial breaks, and placing programs in calculated order. The combination of these techniques "decrease the incongruence between images on the screen and enhance their ability to flow into one other" (p. 28). Stakes are heightened when these schemes are brought to children's networks, as children are less likely to distinguish when this "flow" becomes what Budd et al. (1999) deem a "flow of commodities." Characterized by numerous avenues to sell, the clutter that derives from this operational framework has encouraged and made more frequent product placement strategies.

Imagery that consumers internalize through media forms assist individuals' interpretation of the unfamiliar, and simultaneously, are capable of not only contributing to a sense of ourself as part of a nation, but more widely, our position within the world (Jacka, 1988). The shift towards consumer preference and consumption within digital spaces certainly shapes the approach, organization, and resource allocation of the advertiser's creative processes within these structures. As this newly constructed consumer autonomy alters the television viewer's experience, Liz Jacka (1988) believes a democratic discourse develops, one that contributes to an on-going reformism. David Morley (1992), a cultural studies academic who concerns himself with the nature of cultural politics, examines society's consumption of television as a commodity. By referencing Arjun Appadurai's (1986) book *The Social Life of Things: Commodities in Cultural Perspectives*, Morley describes the "commodity potential" of an object, and how this ultimately mediates its "regimes of value" (p.213). Both Morley and Appadurai consider how the focus of a commodity, historically understood for its exchange and use value, should also be understood within the nature of its exchange process, as it is an indication of the modalities or capacities of a larger system.

Television fulfills an interesting role under this model of understanding commodities, as with developments in television financing and momentum towards subscriptions (or pay-per-view) structures, there is a commoditization of television viewing, one that alters the "regime of value" that was previously determined for television. Since Morley and Appadurai have substantiated their claims, streaming services have begun to radically shift the television consumption experience. Providers like Netflix and Crave now occupy space in the television landscape, with approximately 6.78 million subscribers as of 2019 (Watson, 2019). Morley understands this "regime of value" as being informed by "the enfranchisement (and disenfranchisement) of different groups (advertisers as opposed to viewers) in the determination of production mechanisms and in the modalities or capacities in which individual viewers relate to this process (as consumers rather than citizens, for example)" (p.214). Morley also details the symbolic and material resources required for different kinds of cultural consumption, and that a challenge when analyzing this form of media lies in the attempt to identify a model of television

consumption that "is sensitive to both the 'vertical' dimension of power and ideology and the 'horizontal' dimension of televisions' insertion in, and articulation with, the context and practices of everyday life" (p.276). Following this excerpt, Morley delineates the importance in not abstracting technology's innate "capacities" from the social contexts in which they are employed (p. 277). James Donald (1992) furthers this analysis by suggesting one's focus should be to interpret the "apparatuses of discourses, technologies and institutions which produce cultures" (p.288). In this case, the television, the corresponding advertising texts, and their regulatory policies create a culture that is ripe for analysis. For the purposes of this study, television is understood as fulfilling a symbolic dimension within the larger system of the Canadian cultural industries.

Children's programming is heavily imbued with commercial incentives. In their article "Children's Television: Markets and Regulation," Alessandro D'Arma and Jeanette Steemers (2013) mark recent transformations within children's television across the last few decades, most specifically regarding its cultural prevalence and its ongoing commercialization. Highly concerned with the shift from a smaller, more public service endeavour, to a globalized and highly complex industry, the authors describe how the "fundamental driver behind these changes was the introduction of private television" (p.123). Although primarily basing their assessments on the European market, their historical account references how the industry is built to require commercial incentives, therefore producing a narrow range of children's content. D'Arma and Steemers also mark the transition away from more traditional modes of television viewing by writing how children are "increasingly deserting television and engaging more and more in online participatory interactive and collaborative media experiences" (p.124). Amongst their concluding remarks, D'Arma and Steemers advocate for more public service broadcasting. By compellingly referencing their earlier work "Policy Interventions and the Crisis in Children's Television," (2010) they focus on preschool child audiences, and discourses surrounding what and how content is deemed "educational" for these viewers. By mapping both historical and economic contexts that shape this definition, they trace various organizational structures that have facilitated and constituted the preschool television programming environment. D'Arma and Steemers' approach will assist this research in identifying how institutional frameworks lay the foundation for certain policies to form and discourses to gain cultural capital. Similarly, Amelia Arsenault (2012) observes a transition in the new media age towards traditional media companies purchasing diverse online advertising-supported portals and investing in diverse forms of marketing techniques. Television is not the only Canadian communications industry shaped by these developments, and consequently no longer holds the same concentrated power it once did.

Although a plethora of academic knowledge exists at the intersection of television studies and critical policy studies, Natalie Coulter (2016) has noted how so much of this work in the Canadian cultural industries focuses on the technologies and telecommunications policies, rather than on the text themselves. Joanne Lisosky (2001) is a useful exception to Coulter's assertions, as she wrote an article for *Media, Culture & Society* titled "For all kids' sakes: Comparing children's television policy-making in Australia, Canada and the United States" that elucidates the role of each government's policies in shaping their children's televised experiences by measurably analyzing the respective policy texts. Lisosky applies a comparative research

methodology to contemplate the feasibility of developing and implementing an international policy for children's television. Two primary factors that she considers are whether a self-regulatory model was in place for the country in question, and moreover, whether market forces or public advocacy efforts were effective in influencing policy decisions over time (p.823). Although a significant academic contribution, the scope of Lisosky's article can be built upon to fill existing gaps of knowledge. This thesis will expand on Lisosky's insights by considering more nuanced practices in children's television programming, like product placement, and will do so by discursively analyzing relevant governing texts.

Given that the concept of childhood has been discussed and debated by intellectuals across disciplines for a century, Megan Brandow-Faller (2018) has noted that only more recently have toys and other forms of childhood's material culture received serious scholarly inquiry. Both Kline's (1993) *Out of the Garden: Toys, TV, and Children's Culture in the Age of Marketing* and Tom Englehardt's (1986) "The Shortcake Strategy" are texts that describe the plethora of children's advertising practices that have been popularized over the last few decades. Although these texts also explicate various campaigns that have shaped the children's advertising industry, product placement remains largely outside of the academic focus. Scholarly literature that considers the institutional regulation of product placement practices on children's screens are commonly published from a legal discipline. Angela Campbell's (2005) paper titled "Prohibiting product placement and the use of characters in marketing to children" details American regulations, but does not make claims in connection to the broader children's media landscape as it relates to OTT media services or the Canadian economy. In recent years, our consumer culture has become one that increasingly includes "transmedia intertextuality" and "intertextual allusions," two terms which Marsha Kinder (1991) uses to describe the systems that inform children's present-day media literacy. The intertwined nature of children's communication media create a distinct experience of all-encompassing consumption, ultimately providing children with the knowledge to enter into new media paradigms. This research is concerned with analyzing how these technological advancements shape and are reflected within industry policy texts.

2.4 Childhood and the child consumer

In his 1961 book *Television in the Lives of our Children,* Wilbur Schramm asserts that after analyzing years of research regarding the effects of media consumption and child behaviour, it is difficult to definitively discern the degree to which children decode the encoded practices within a sender and receiver system of communication. Schramm most specifically considers these effects in relation to children's television consumption by writing,

> … for some children, under some conditions, some television is harmful. For some children under the same conditions, or for the same children under other conditions it may be beneficial. For most children, under most conditions, most television is probably neither particularly harmful nor particularly beneficial. (p.11)

This assessment holds merit during the time in which it was written, however, sixty years later in an age implicated by a television system Schramm might deem unrecognizable, a different story surfaces. Today's children have relatively instant access to multi-screen environments that lead them to playing, streaming, or generally interacting with platforms that contain infinite content

and covert promotional messages. As the technology linked to these cultural forms expand, so must the regulatory mechanisms. By merging Schramm's disposition to a critical policy studies perspective, Helen Ingram and Anne Schneider (2015) offer an important illustration in their article "Making Distinctions: The Social Construction of Target Populations" as they articulate how political actors

> … assign particular social definitions to the populations to be served by a policy in ways that give meaning to the distribution of costs and benefits. The definitions … attribute the status of deserving or undeserving to different members of the public. The process … often works insidiously to undercut possibilities of democratic governance. (p.17)

Ingram and Schneider's appraisal speaks to the policy formulation process, and how there can be a discursive reflection of certain interests and values that support some, and consequentially hurt, other demographics. In the case of the contemporary Canadian cultural industry, children's programming is an example of hegemonic powers prioritizing bottom-line profits.

Capitalist market conditions and the hegemonic interests promoted by corporate elites shape the experiences of our children's collective "childhood," which facilitates the emergence of an industry vehemently requiring accountability and oversight. At the core of this issue is childhood. To study childhood from a sociological position is to attempt to understand the deep politics of children and media, since as Allison James and Alan Prout (1997) explain, the notion of the "child" has been understood as a social construction that distinguishes its formation from simply biological immaturity (Davies, 2010, p.54). James and Prout (1997) write, "Childhood as distinct from biological immaturity, is neither a natural nor universal feature of human groups but appears as a specific structural and cultural component of many societies" (p.29). By viewing childhood as a construct, certain social and cultural ramifications arise (James & Prout, 1997, p. 25). Neil Selwyn (2003) further addresses understanding childhood as a biological state versus as a cultural construct by writing,

> [N]otions of the child are inherently political in nature. Childhood is of course a discursive invention of the past hundred years or so and the child has been used as a 'potent political metaphor' throughout post war society… the future of the innocent child is central to almost all contemporary forms of politics. (p.354)

By considering the ongoing cultural negotiation and ontology of childhood, and its manifestations in public policy and governance within the global North, a discursively embedded consumer ecosystem, and on a larger scale, a commercialized Canadian civic culture, is revealed.

Diversely understood and constituted across time, the concept of childhood is unpacked by Philippe Ariès (1962) throughout his ground-breaking book *Centuries of Childhood*. Known as a foundational text about childhood, Ariès analyzes visual media as a way to identify the role childhood played during a point in time. As social and economic changes took place, children who were once depicted as miniature adults in the sixteenth century eventually transformed into portrayals of children distinct from adults (Olson & Rampaul, 2013, p.23). In Davies' (2010) analysis of Ariès' writing, she explains that

> Children became worth talking, writing and painting about - in other words, they entered the culture (or at least the culture of pre-revolutionary France, and to some extent the rest of Europe) - in the seventeenth century. In this period, children became a new source of pleasure, and 'a new source of imagery. (p.21)

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Predominantly, this imagery that Davies describes was one of innocence and vulnerability, which Viviana Zelizer (1985) notes was a "special status." Through the promotion of this special status, media artifacts often conflated such imagery with sacralized images of children. The sentimental and religious value placed on the child through media was effectively affecting children's economic market value (Olson & Rampaul, 2013, p.23). All of these ideological shifts contribute to idolized and sentimentalized perceptions of children which have substantiate concern for their protection amongst contemporary media policy in the contemporary global North.

Literature is an additional way one can trace perceptions and positions of childhood in the global North across time. Neil Postman (1994) has identified the invention of printing in the late fifteenth century as a more concrete moment wherein childhood entered the public rhetoric, as it led to increased levels of literacy and facilitated a participatory youth. Elevated levels of literacy led to the invention of modern childhood, as access to communication media through reading gave a degree of inclusion that was necessary to bridge the barrier between adult knowledge and child experience. However, some scholars prefer to understand childhood from a purely scientific position. In his paper "Culture-nature and the Construction of Childhood" Prout (2008) defines biological childhood as:

> An extended period of juvenility in humans, longer than that found even in other primates; [it] is a key feature of the evolution of the human species and is associated with other species characteristics such as the development of sophisticated linguistic communication and the use of tools… the human child uses an enormous proportion of metabolic effort on brain development, greater even than chumps and this continues rapidly after birth … a pattern involving very extended juvenility, the intense acquisition of skills and a prolonged period of socialization and developmental plasticity… this allows mothers to share care of young with other competent members of the social group, freeing them to give birth to other young. (p.24-25)

While some scholars differ in their interest towards the biological components to human development, Prout views historical developments like literacy or economic conditions as secondary when evaluating the ontology of the child. Nonetheless, diverging perceptions of childhood come together to inform how and why policy-makers perceive children's media experience as an issue worthy of attention, most specifically as it pertains to advertising practices.

2.5 The political economy and policy of cultural forms

From a critical cultural policy studies perspective, understanding how policies and media structures become realized stems from the operation of hegemony and ideology. Gramsci's (1971) articulation of systems of consent and coercion can be applied to the contemporary Canadian advertising landscape when he writes, "just as the moment of force is institutionalized in a system of coercive apparatuses… hegemony is crystallized and mediated through a complex system of ideological (or hegemonic) apparatuses located throughout the social formation" (p. 10-14, 155, 210, 234, 261, 267). These hegemonic apparatuses, where consent is negotiated and won, include the mass media and Canada's broader communication sectors, as hegemony operates at the crux between cultural forms and their policies. Likewise, the intersection of

cultural policy and political economy is foundational to this research, as it is the site for the production of cultural citizens, with the cultural industries providing not only a realm of representations about oneself and others, but a series of rationales for particular types of conduct. Cultural citizenship is concerned with the maintenance and development of cultural lineage via education, custom, language, religion, and the acknowledgement of different in and by the mainstream. Foucault (1991) contributes to this topic with his term "governmentality," as an ensemble formed by our institutions, procedures, analyses and reflections, governmentality is the calculation and tactics that allow the exercise of a very specific and complex form of power. Through this kind of lens, one comes to see how public policy surrounding media forms, specifically advertising, is a reflection of power that upholds certain hegemonic interests. Institutional decision-making as a result of ideological apparatuses of control are compounded for the child consumer, as their status as a cultural citizen signifies curated sets of discursive tropes. James McGuigan (2003) writes about cultural citizenship by emphasizing the importance of cultural studies to retain radical insights regarding the power and influence of public debate. Similarly, for Peter Graefe (2006), a critical cultural policy studies scholar, political economy is centrally concerned with the exploration of public policy as an exercise of economic and political power. He dismisses the claim that political economy is reductionist and presents ways in which the field encourages intersectionality. When asking what is at stake in political economy, Nicholas Garnham (2000) articulates that a forefront concern within the field is acknowledging two distinct forms of power, "and their effect on the structure and performance of the media system and on the relation between producers and consumers of culture" (p.39). Garnham identifies these two separate concerns as the individuals who can access communicative resources, and consequently, what they do with them (p.39).The first form of power is structural, and the second, exercised on behalf of multiple economic agents, is the ownership and control of resources. For Garnham, these points of power are challenges for the growth of the culture industries, as there is the "provision and domination of the means of publicity by the logic of things rather than of autonomous moral beings" (p.41). These logics become materialized and commodified within childhood, further compounding the inherent connection between children's lived experiences and the hegemonic interests purported by capitalism.

For Vincent Mosco (1996), a foundational political economist and communications academic, the political economy approach to communication focuses on the power relations that mutually constitute the production, distribution, and exchange of resources. Mosco's outlook underpins an assessment of the advertising industry as a whole, and product placement in specific, as he delineates how political economy can also be characterized by "an interest in examining the social whole or the *totality of social relations* that make up the economic, political, social, and cultural areas of life" (p.4). Indeed, a political economy perspective lends itself to the assessment of contemporary product placement practices through its concern and commitment to a moral philosophy. Mosco describes this concern as one that "cares about the values that help to create social behaviour and about those moral principles that *ought* to guide efforts to change it" (p.4). By integrating the ethical considerations and symbolic consequences of our culture of consumption, political economists broadly and productively respond to power being central to society, and thus, to not ignore the economics that drive the dominant positionality.

Indeed, exercising power is not a neutral endeavour. Mosco (1996) works to separate and further contextualize the ways that cultural studies prefer to concentrate on ideas of "cultural difference, particular subjectivities, and local identities" (p.230). Mosco expands this proposition by highlighting how the school of thought applies caution when drawing associations amongst these categories, as there is a concern that these connections "can easily mount into systems and forms of objectification that submerge the particular and the local beneath their discursive power" (p.230). Accordingly, Mosco does not see communication as a simple transmission of information or statistics, but instead acknowledges the subtle way in which the social production of meaning can constitute a relationship (p.6). Inherent in these kinds of social relationship exists power. Mosco contextualizes power within the modes of operation of new media, and the ways that hegemonic powers leverage these communication systems, technologies, and advancements, to earn capital. Mosco is thus able to establish how political economy's goals are similar to cultural studies, in that cultural studies productively point to the indeterminacies of how power operates, and by developing this idea further, he considers the various challenges that new media pose for traditional patterns of capitalist development (p.10). Although primarily referencing the Internet in this context, new kinds of tactics emerging from new media forms, such as product placement in advertising, or streaming services as a platform to disperse the televised content, can be contextualized within these laden modes of operation.

The political economy of culture also focuses on the interplay between the symbolic and the economic dimensions of public communications, as it aims to exhibit how different ways of organizing cultural production have traceable consequences for the range of discourse, representations, and communicative resources available to the public sphere. The power and agency that derive from the structure of cultural production is significant, and thus alternatively, can produce the restriction of one's power. Recognized as a leading theorist of the political economy of media and media systems, Hardy (2014) separates himself as a CPE researcher, similar to previously noted academics Sum and Jessop (2015). Hardy (2014) delineates the two by stating that CPEs have a distinct contribution through their effort to understand marketing communications from both its economic and ideological importance, and in the context of consumerism, to not simply pursue "an agenda conducive to the needs and interests of advertisers and the advertising industry" (p.135). Hardy's interpretation is useful to this research when merging the political economy and policy studies fields, as it aids in informing an understanding of the all-encompassing agents that are entangled in the advertising industry in Canada, and moreover to identify the individual interests reflected within product placement practices in specific, as a means to create change.

Political economy highlights the structural conditions under which commodity forms are produced, distributed, and consumed. The field of study emphasizes how these systems are bounded by power and control which ultimately creates the interaction between "the symbolic and economic dimensions of public communications" (Golding & Murdock, 1991, p.15). By focusing on the economic features, Peter Golding and Graham Murdock (1991) describe how the methods of financing in the cultural production process have "traceable consequences for the range of discourses and representations in the public domain and for audiences' access to them" (p.15). These economic dynamics speak to the general environment that prioritizes maximized profit over the viewer's experience, which marks the importance in regulatory bodies

properly governing these trends. Cultural studies scholar Dominic Strinati (2004) describes Louis Althusser's (1970) theories of ideology functioning through "interpellation." Strinati applies this theory of constituting a subject's identity to popular culture by writing that contemporary societies "function by taking individuals and placing them as consumers, their subject status being defined by their consumption patterns" (p.137). Gramsci helps us identify the critical limits of this perspective, by highlighting the role of deterministic explanations (Strinati, 2014, p. 138). Gramsci is largely concerned with the operation of hegemony through institutions, and how popular culture is the site where hegemony is "produced, reproduced and transformed" (p. 151). Adorno and Horkheimer (1944) expresses a similar perception in how the status quo becomes continuously reaffirmed. Hardy (2014) applies these ideas to advertising's role within a system of communication that engineers consumption and mirror levels of production, and thus, a reproduction of the "ideological system that supports the prevailing status quo" is able to flourish (p.136). This ultimately characterizes how capitalist society is a series of material ritualistic practices that are brought into our nomenclature through hegemonic influences and governing systems. Advertising's encouragement of mass consumption, through practices like product placement, are the manifestations of hegemonic ideologies.

In a similar vein, in the book *Channels of Discourse* author Mimi White writes a chapter titled "Ideological Analysis and Television" that details the implications embedded in cultural texts and their alignment to the nature of society. For White (1992), ideological practices refer to systems of representation that she describes as images, myths, or ideas, which are leveraged by individual's experiences that create material factors, such as the economic or political world (p. 140). Under this ideological analysis, an understanding that one cannot be "outside ideology" evolves, as these relationships are experienced as naturalized and are exerted and operated under relative autonomy (White, 1992, p.141). Williams (1981), for instance, saw culture as a "realized signifying system" whereby societal norms and institutions construct meaning, practices, and institutions, leading to the creation of symbolic communication. Symbolic forms of communication can take varying shapes. In describing the residual expressions that do not emerge within dominant culture, Williams (1977) asserts in his earlier work that, "new meanings and values, new practices, new significances and experiences, are continually being created" (p. 41). Many of these insights can be related back to forms of new media and their relationship to advertising, and ultimately, how they can be reflections of both hegemony and the residual and emergent forms. Melody et al. (1981) bring attention to this by writing how the "relationship between public and mass media is oppositional, dynamic, and mutually reactive and both are part of a media system that depends on advertiser sponsorship and elite consolidation" (p.202). Thus, the predictability that is sought after by private broadcasters is equated with a mass media appeal, in turn measurably effecting policy-formation processes.

The institutionally disciplined rhetorics of policy and planning influence problem selection as well as problem analysis, organizational identity as well as administrative strategy, and public access as well as public understanding. (Fischer and Forester, 1993, p. 2)

3.1 Regulatory structures in Canada, Britain, and the United States

The history of advertising in Canada and its resulting regulation brings into focus distinct needs, values, and identities, consequently necessitating a critical inquiry into their broader hegemonic and institutional arrangements. As advertising practices aim to assert formative influence on consumers, policy-makers are tasked with regulating cultural texts that are built upon the advancement of these narrowly defined interests. The ways in which regulatory bodies manage cultural commodities, like advertising, creates an organization of social forces that are capable of building and preserving interests across time and space. Children's media culture emanates from an institutionalized arena, one that through the ongoing production and circulation of media forms, actively reinforces existing ideological structures. Perceptions of childhood are certainly amongst the discourses that shape children's advertising and its broader regulation. Within the last century, as this chapter details, citizen advocates have met the advertising industry with demands of accountability, competing interest groups have vocalized their position on public stages, and marketing practices have been ethically deliberated for their norms and conventions. This chapter considers how the ongoing cultural negotiation and perception of childhood manifests in public policy and governance within the global North, leading to a discursively embedded consumer ecosystem, and on a larger scale, a commercialized Canadian civic culture. Several notable transactions between media conglomerates and children's advertisers are utilized as points of reference to elucidate how rhetorics of policy and planning manifest within the industry, most directly as it pertains to the regulation of product placement strategies.

Numerous regulatory institutions in Canada are tasked with the objective to maintain advertising's profitable business structures while balancing consumer rights concerns. This position, however, is difficult to uphold. In his book *Corporations and Cultural Industries,* Scott Fitzgerald (2012) discerns that from the 1980s to present-day there have been several formative and reactive policy shifts that have "accelerated the centralization of corporate control and enabled the deeper commodification of cultural production" (p. 137). Canada is certainly exemplary of this trend, specifically as it pertains to the production of children's entertainment texts. Canada's communications sectors, including its governance of advertising practices, are upheld by both governmental and not-for-profit regulatory bodies. Amongst Canada's more powerful institutions are ASC and the CRTC. Although influential, ASC and the CRTC do not act alone in regulating advertising practices, as the Canadian Association of Broadcasters ("CAB") and the Institute of Communications and Advertising ("ICA") are both supplemental to

this supervisory framework. Separate institutions have also been established to distinctively address the child's experience of Canada's communication sector. In Canada, ASC, CRTC, CAB, and ICA are supported by Concerned Children's Advertisers ("CCA") and the Association of Canadian Advertising ("ACA") when addressing children's media concerns. Fitzgerald (2012) notes how in many forms of governance, sociocultural and political issues are "refashioned either to comply with economic goals or viewed as fortuitously met through their achievement" (p. 138). Canada's aforementioned regulatory institutions have historically and contemporaneously displayed the trend that Fitzgerald elucidates, as under the guise of social concern for preserving childhood, economic objectives appear to be weighed heavily amongst governing frameworks.

The CRTC is arguably the most influential institutional body involved in the regulation of children's advertising practices, as its decision-making is binding. Entrusted by the Parliament of Canada, the CRTC is an administrative tribunal that is dedicated to supervising the wide-ranging communication sectors that Canadians access on a daily basis. Mandated with supervising phone, internet, television, radio, and industry businesses, the CRTC's mission is to ensure that Canadians receive a quality communications system that reflects citizen's diverse needs. For broadcast television, if a network refuses to comply with any regulatory measure in place, the CRTC is able to revoke broadcaster's access to airwaves and withdraw their annual license. The three primary pieces of legislation managed by the CRTC are the *Broadcasting Act,* the *Telecommunications Act,* and the *Radiocommunication Act*. Supplementary documents include *Canada's Anti-spam Legislation, Bell Canada Act, Canada Elections Act,* and *Telecommunications Fees Regulations,* along with various policy objective documents. As stated in the CRTC's *A Competitive Balance Report* (2018), the *Broadcasting Act* differentiates itself from the *Telecommunications Act,* and the *Radiocommunication Act* by stressing its objectives as being driven by cultural goals, as it has an intrinsic role in shaping Canadians' media experience on a social level (p.7).

As a not-for-profit self-regulatory industry body, ASC is committed to creating and maintaining community confidence in advertising by monitoring broadcasted content, evaluating public complaints, and offering pre-clearance services. In 1963 ASC enacted the *Canadian Code of Advertising Standards*, their primary policy that promotes professional and ethical advertising, and ultimately ensures the integrity of broader industry practices. ASC's primary intent is to prevent brands from using a number of deceptive marketing techniques, including "inadequate accuracy and clarity, disguised advertising techniques, price claims, bait and switch, guarantees, comparative advertising, testimonial fraud, professional or scientific claims, imitation, safety, superstition and fears, advertising to children, advertising to minors, and unacceptable depictions and portrayals" (Advertising Standards Canada, 2020). For instances when brands want to advertise directly to children, ASC created a guide titled *The Broadcast Code for Advertising to Children* ("*The Children's Code*"). Functioning as a recommended strategic framework, *The Children's Code* prepares advertising agencies to create promotional messages that recognize the distinct characteristics of children. The Children's Clearance Committee, compromised of both industry experts and other public representatives, review submitted commercials and provide approval where applicable. Broadly speaking, if a consumer alleges an established standard has been breached by a broadcasted commercial, their complaint is reviewed and adjudicated by one of two councils depending on their geographic location. If the violation of compliance takes

place in Western Canada, Central Canada, or Atlantic Canada, the Standards Council addresses the matter. If a consumer complaint is from Quebec, le Conseil des Normes handles the assessment process. Subject to Article 248 of the *Quebec Consumer Protection Act*, Quebec is the only province in Canada that entirely bans commercial advertising for those under thirteen years of age. It is worth noting, however, that programs from other Canadian provinces containing commercial content for children are not restricted by this policy, and therefore primarily English-language programs distribute this otherwise illegal content on Quebec airwaves (Armstrong, 2016, p.164). Moreover, if a message is "local" in transmission, guidelines established by ASC's Children's Clearance Committee do not apply. Practically speaking, this means local broadcasters are responsible for supervising and eliminating any social policy concerns in their own programmed content. Ultimately, despite these institutions' influence over the Canadian media landscape, ASC, CAB, CCA, and CBA are all supplementary codes to federal laws and regulations that are established by the CRTC, Industry Canada, and Health Canada.

Since its establishment in 1971, CAB has been a powerful mediator in the field of children's commercial content. As a national advocate for Canadian private broadcasters, including "private radio and television stations, networks, specialty, pay and pay-per-view services," CAB's mission is to lobby and advance interests that align with both Canada's private broadcasters, and the broader "social, cultural and economic fabric of the country" (Canadian Association of Broadcasters, 2020). In doing so, CAB created a reference guide, last revised in May 2006, titled *Advertising to Children in Canada* that explicates the role of *The Children's Code* amongst the Canadian mediascape. Since the institutional bodies that compromise CAB are private broadcasters, it is important to note that the CBC is not a member, and accordingly, is required to forgo the right to broadcast any commercialized content during or between child-directed programming since they do not technically adhere to the self-regulatory process. Adjacent to CAB is the Canadian Broadcast Standards Council ("CBSC"). First recognized by the CRTC in 1991 after its incorporation in 1990, the CBSC is a national voluntary self-regulatory organization for television and radio. Although primarily committed to upholding journalistic and editorial freedoms, CBSC has created programming guidelines that converge with interests dictated by CAB. The CBSC is led by five codes: the *CAB Code of Ethics,* the *CAB Violence Code,* the *CAB Equitable Portrayal Code,* the *RTDNA Code of Ethics,* and the *Journalistic Independence Code.* The organization states unequivocally that "the codes are not inconsistent with social value" (CBSC, 2020).

The ways in which Canadian communications systems have been influenced by market logic transcends geographic limits, as similar self-regulated systems appear amongst other countries like Britain and the United States. In the United Kingdom, Advertising Standards Authority ("ASA") is a self-regulating organization that considers and evaluates standards assumed for the advertising industry, as it does not enforce government legislation and is not government funded. In order to appropriately stipulate whether an advertisement complies with these "standard thresholds," a comparison to a number of pieces of legislation can be made. Across the UK, the *Consumer Protection from Unfair Trading Regulations* and the *Business Protection from Misleading Marketing Regulations*, both most recently amended in 2008, base their assertions on EU law and therefore have the utmost weight in terms of regulation.

Additionally, the Office of Communications ("Ofcom"), is a government approved competitor authority for various communication sectors, including but not limited to broadcasting, telecommunications, and postal services, and essentially holds authority over the ASA, which is set out under the terms of the *Communications Act,* a policy last revised in 2003. The *Communications Act* includes regulations for consumer messages directed towards children. In 2011, established bans on product placement, originally implemented in 1954, were lifted (Shears, 2014). This regulatory decision has certainly shifted the landscape of children's broadcast programming. As for the American market, advertising practices are primarily executed within the constraints of the FTC, its corresponding Bureau of Consumer Protection and the Federal Communications Commission ("FCC"). Supplementary entities that support these federal institutions are the Better Business Bureau ("BBB"), National Advertising Review Council ("NARC"), the American Advertising Federation ("AAF"), the Association of National Advertisers ("ANA") and the Audit Bureau of Circulations ("ABC"). These agencies manage and audit various forms of marketing and advertising efforts throughout the country to determine deceptive commercial content. Section 5 of the *Federal Trade Commission Act* ("*FTC Act*") also asserts regulatory authority over children's advertising practices.

3.2 Regulatory emphasis on commercial time limitations and the program-length commercial

Understood as a complex ecosystem (Steemers, 2010; Cottle, 2003), the institutional landscape of children's television culture is one where a community of industry, regulatory, and civil society players come together to work within an increasingly intricate and transnational media environment (Bryant, 2007). The advent of multichannel multiplatform services in the 1980s significantly contributed to children's television culture known in the twenty-first century (Steemers, 2013). In expressing the increased opportunities technologies have brought to television viewing, Steemers (2013) writes,

> Children's television culture has moved from scarcity to abundance; from blocks on
> general channels to dedicated niche services; from local to more globalized content; and
> from linear television shows to more multimedia experiences accessed on various
> platforms and devices. (p.109)

This booming ecosystem described by Steemers is shaped by the regulatory measures of a time period, and the ways in which governmental bodies do, or fail to, intervene when certain practices hypercommercialize children's programming. As noted by an American Psychological Association's study in 2004, "the British Parliament passed legislation in 1874 intended to protect children from the efforts of merchants to induce them to buy products and assume debt" (Wilcox et al., 2004, p.4). Attempts to regulate children's advertising dates back for centuries. To regulate the hypercommercialism within children's programming or limit its presence across the television landscape, is to restrict the inner logics of capitalism.

Government's role in limiting commercial content in children's programming became a point of contention in the public sphere throughout the 1950s. During this decade, discourses regarding the potential negative effects television viewing could have on children began to receive attention, in turn igniting conversations whether the government should participate in

regulatory measures (Alexander and Hoerrner, 2007). For Americans, this debate centred on the respect held for the First Amendment versus whether children, a more vulnerable audience, were victims of the highly manipulative system. Alison Alexander, Louise Benjamin, Keisha Hoerrner and Darrell Roe (1998) describe how the 1950s saw the first bout of congressional hearings that addressed whether children's viewing habits had harmful repercussions. A decade later, in 1960, the FCC identified children as a "special audience," which forced broadcasters to meet a more critical examination concerning their fulfillment of public-interest obligations (Kunkel & Wilcox, 2001). As a "special audience," stations were required to provide proof that their unique needs were met. Without this evidence, license renewal processes that were required every eight years would not be administered.

As the child audience became surveyed more closely by governmental bodies, the 1970s became known as the public advocacy decade. Alexander and Hoerrner (2007) elucidate how various concerned-citizen groups were entering into the public sphere during this time to advocate for new regulations for children's programming. Regardless of these public pressures, the 1970s saw deep growth and increased commercialized content within the industry, especially an inundation of cartoon programs. Aired in between these cartoon programs were targeted advertisements, primarily within one of four categories: candy and snacks, cereals, toys, and fast food (Alexander et al., 1998, p.34). This new framework led to an increase in parental and public concern and FCC's 1974 instituted guidelines. FCC's implemented rules required broadcasters to make "meaningful effort" to "provide programming for both preschool and school-aged children" as policy-makers recognized that advertisements were predominantly placed during weekend periods, creating what the industry called the "Saturday-morning ghetto" (Alexander et al., 1998, p.35). However, the instituted mandates failed to provide measurable limitations by stating the minimum number of hours associated with "meaningful effort," therefore leaving ambiguity for advertisers to exploit. This unclear distinction led to a significant shift in the organization of advertising and entertainment-based content in children's programming, which popularized the PLC and other forms of brand integration. As a form of product placement, PLCs rely on the lack of discernment between the boundary of commercialism and editorial content. Conflating this boundary has been an ongoing site of contention within the industry's regulatory efforts, as it makes it more difficult to discern which parts constitute a commercial message.

The Children's Code denotes the boundaries of a commercial message as "that [which] are carried in children's programs and in programs adjacent to children's programs or commercial messages directed at children" (Armstrong, 2016, p.163). This definition provides flexibility for both brand integration strategies and PLCs. A PLC can be defined as a program integrating a sellable item or branded character into the narrative of a program, which often results in what appears to be a 30-minute commercial. As children become enamoured with the product's entertainment value, it drives the plot of the show while encouraging its future consumption. Amongst the more famous examples of a PLC or sponsored program is *Hot Wheels*. In 1969, *Hot Wheels* debuted on ABC and was later accused by the ACT as being solely produced for its commercial content (Rostron, 1996, p.60). Mattel, owner of the *Hot Wheels* franchise, was known to purchase advertising segments before or after the program would air as a way to sustain children's interests. Upon institutional review, the FCC concluded that the pattern displayed by *Hot Wheels* and PLCs more generally "subordinates programming in the

interest of the public to programming in the interest of its saleability" (Rostron, 1996, p.60). *Hot Wheels* was cancelled shortly thereafter. In 1971, the ACT pushed for tighter restrictions for children's programming, including the prohibition of product references during programs, whether that be in the PLC format, or product placement practices in general. Three years later, FCC chose not to adopt these rules, and moreover, in a landmark report about children's television, failed to establish a direct definition of a PLC but promised to examine commercial activities on children's programs on a "case by case basis." Indeed, this promise remained unkept, as the ensuing decade saw governmental efforts towards more flexible industry standards.

Ronald Reagan's eventual election in 1981 sparked what is known as the "deregulation decade." By appointing Mark Fowler, the FCC removed significant restrictions on children's television under his leadership. Dale Kunkel and Brian Wilcox (2001) note that a significant change initiated by Fowler was his redefining of a PLC. New regulations reimagined the PLC more narrowly as a program that included an advertisement for the same character as the one in the program, which is a form of product placement. Essentially, this kind of product endorsement known as "host selling," meant that practices that were prohibited beforehand, were now permitted. Alison Bryant (2007), summarizes the decade as creating an environment in which a "new programming and sponsorship model for entertainment content arose" (p.18). Although the following decade was categorized as more stringent on children's media production, with several bills passing in Congress between 1990 and 1996 meant to reduce violence on television, the landscape for children's television remained a point of debate, as the focus on certain industry trends left nuanced gaps in policy for other practices to continue (Alexander and Hoerrner, 2006, p.37).

Up until 1982, non-binding self-regulatory standards were in place for American commercial broadcasters, with a limit of 9.5 minutes of advertising for one hour during prime-time and children's programming (Foster & McChesney, 2003). As these lenient controls continued, the amount of airtime devoted to advertising during these preferred hours grew by over twenty percent between 1991 and 2000. Robert Foster and John McChesney (2003) contextualize this growth by stating that by 2002, anywhere from 14 to 17 minutes per hour would contain advertising on major networks. In the United States, through the introduction of the Children's Television Act ("CTA") in 1991, the FCC began limiting children's commercial television stations to broadcast ten and half minutes (per hour) on weekends and twelve minutes for every hour on weekdays (Calvert, 2008). Regardless of the implementation and enforcement of these limitations, they were frequently violated. Engelhardt (1986) argues that after deregulation in the 1980s, children's programming prioritized earning profit over entertainment, which *Star Wars* (1977) exemplified. George Lucas, creator of the *Star Wars* franchise, licensed out characters to Kenmar to create "one of the most popular lines of boys toys of the 1980s" (p. 68). This agreement demonstrated to toy manufacturers that the product for sale could *precede* the show, as "they had created a whole new strategic framework for marketing not simply a toy, but… an image" (p.73). *Star Wars* employed character marketing through the introduction of PLCs and the production of physical toys to further bond the child to the program. These controversial practices have distinct similarities to more traditional forms of product placement, demonstrating that more nuanced strategies have evolved with time.

Throughout 1992 to 1994, it was found that approximately 25 percent of networks exceeded the boundaries of the commercial material restriction. The FCC would frequently levy against larger broadcasters for these infringements but noteworthy change rarely occurred. Approximately 40 years ago F. Earle Barcus examined the ratio between commercials and children's programming before the CTA enacted these restraints and found that up to 25 percent of cartoons aired on Saturday mornings were linked to advertising endeavours (Calvert, 2008). When regulatory bodies like the CTA eventually pushed back on this structure, advertisements shifted to only thirty seconds in length, as opposed to the original sixty. This new framework provided opportunity for more advertisements to air in the permitted segments, leading to stabilized profits. A study published in 1989 by John Condry traced these major national broadcasters's practices and found that they broke these regulations more frequently than cable channels. The study considered paid subscriptions as a financial explanation for this trend, as they helped balance economic strains and allowed cable channels to refrain from defying regulations.

Advertising's historical regulation in Canada appears steadier in its attentiveness to consumer protection than the United States. Kyle Asquith (2012) situates hypercommercialism within Canadian English children's television in a larger neoliberal political economic climate, which strategies like product placement or the PLC have historically benefited from. Given that Mattel and other toy manufacturers did not target the child consumer until after the second world war, David Buckingham (2000) believes that this lack of attention was a result of children not being considered the valuable audience that they are today. Before children were considered a distinct demographic, networks created programming meant for children to consume with their parental figures. Asquith (2012) names *Howdy Doody* and *Mickey Mouse Club* as examples (p. 96). As Saturday mornings were children's television's "hot spot," animated shows in the 1960s became popular as they were inexpensive to create. Commercial times amongst these cartoons garnered considerable contention, as parents became concerned over "cereal, toy, and confectionary advertisers putting directly to children" (Asquith, 2012, p. 95). In 1972 the Telecaster Committee was formed in Canada to provide a further level of approval beyond the CRTC and the Canadian Advertising Foundation ("CAF"). Known as a self-regulatory, voluntary body consisting of 65 industry members, the Telecaster Committee aims to hold networks accountable for aired advertisements by publishing reports, similar to ASC, that summarize consumer's ongoing concerns. While the United States operated under Reagan's deregulation era, more strict restrictions were being implemented in Canada. In 1980, the government of Quebec implemented a ban on all advertising directed at children under the age of thirteen. The ban remains in place today, and it was upheld by the Canadian Supreme Court as being justified as a reasonable limit of free speech. These institutional restrictions on children's media ecosystem were intended to improve the quality of children's experiences. Current regulation in Canada allows for 12 commercial minutes for every hour, otherwise the program is considered an infomercial. The CRTC is able to enforce this benchmark by removing a program's status as "Canadian content" if they exceed this limitation, which would make the program ineligible for federal funding incentives (Menzies, 2020). Removing federal funding can be a significant threat to any Canadian production, as corporate executives often rely on this financial mechanism.

In more recent years, Canada has relinquished some restrictions for managing children's

advertising practices. In 2007, the CRTC announced they would begin deregulating Canadian airwaves by alleviating several television advertising restrictions, as they were confident commercial broadcasters and advertisers were capable to monitor their own practices (Asquith, 2012, p.98). Outside of Quebec, Canada is a self-regulated market. Industry bodies, like ASC are responsible for enforcing broadcasting codes across the nation, most notably *The Children's Code*. Functioning via "pre-clearance" panels, critics have noted that the panel tends to fixate on factual advertising claims, and less on the pervasiveness of the practice, or the nuance of how it effects youth (Asquith, 2012, p.99). It is critical to note, that ASC only has clearance over "commercial spots," as the framework of the current regulatory system presupposes the distinction between advertising and entertainment. Several marketing strategies are inevitably aired by capitalizing on this ambiguous definition. Asquith (2012) focuses on ASC's approach to these trends and its manufactured relationship with child audiences by writing, "The ASC tends to focus on making sure there are 'batteries not included' disclaimers in advertisements, but fails to attend to the more pernicious forms of children's branding or the structural impact of advertising on children's culture" (p.99). The CRTC's limitations on conventional advertising have loosened over time, as the industry code states broadcasters can air eight minutes per hour of programming for children under the age of twelve (Asquith, 2012, p.100). Although children's content in Canada is known to be produced locally, as the CBC and other entities push for the Canadian system to reflect "values different from those prevailing in the British or American systems," Canada's airwaves are nonetheless often filled with transnational content (Potter, 2009, p.79). Davies (2010) notes that the British Broadcasting Corporation ("BBC") is "the main provider of children's material, certainly in terms of original production, and has restated its target audience to the under 12 since 2006. The commercial companies have ceased to commission new children's production, with some limited exceptions" (p.151). Undoubtedly, the problems that Canada faces with regards to children's advertising and reflecting children's needs within policy documents is an issue faced by competing markets like the Britain and America.

Canada's most notable regulatory decision-making, arguably comparable to the "era of deregulation" in the United States took place more recently. The CRTC's broadcasting decision 2011-441 published on July 27th, 2011 titled "Group-based licence renewals for English-language television groups – Introductory decision" made assertions regarding the role of product placement on Canadian screens. Referenced as a form of "non-traditional advertising" the topic was brought to the CRTC's attention by the Shaw Media group, in a proposal that their conditions for licensing consider that product placement or virtual advertisements not be counted towards the 12 minute time limit currently place for televised programming (p.15). In response to this request, the Commission states that it did not intend for specialty services to contribute to non-traditional forms of advertising (ie. product placement). They further elaborated on this decision by writing,

> In fact, in Broadcasting Public Notice 2007-98, the Commission amended the definition of 'commercial message' set out in the Television Broadcasting Regulations, 1987, which clarified that only advertising that is 'broadcast in a break within a program or between programs' would be counted as a commercial message. In the Commission's view, the definition of 'commercial message' found in the Specialty Services Regulations, 1990 should be amended to be in line with the definition set out in the

Television Broadcasting Regulations, 1987. Such an amendment would harmonize the
Commission's treatment of advertising on conventional television stations and specialty
services. As such, the Commission intends to initiate a proceeding to consider these
proposed changes to the Specialty Services Regulations, 1990. (p.15)

Indeed, the Commission makes themselves clear as to their ongoing desire to tightly define
commercial messages, and by doing so, does not address the nuanced practices of product
placement, or the way it can manifest as a PLC and other marketing forms. This policy statement
resembles much of the language put forth by the United States when the FCC ruled against
regulating the PLC in the 1970s, which expounds how product placement practices have
continued to flourish.

3.3 The concern of food and beverage advertising

Similar to the chronology of children's television programming and the popularization of
spot advertisements, the mid 1960s saw an emergence of non-toy advertising directed towards
children. Bryant (2007) explains that cereals like Cheerios and Cocoa Puffs, "junk food"
products like Twinkies and Tootsie Rolls, and more innocuous products like Star Brite
Toothpaste, found their place in children's content during this decade. Benjamin Schneider
(1987) recalls that one of the first manifestations of this advertising trend surfaced when General
Food created television shows that were solely created to promote the spokes characters related
to their cereals. CBS premiered *Linus the Lionhearted* in 1964, which was a coproduction of Ed
Graham Productions and General Foods, and featured cartoon characters for different cereals like
Linus and Sugar Bear (Bryant, 2007, p.16). Due to the success of these programs and spot
advertisements, advertising agencies began to specialize and dedicate their businesses to the
child demographic. The buying power of children was reflected in the creation of Helitzer,
Waring, and Wayne, an advertising agency in 1963, built to create content solely for the
children's market (Pecora, 1998). Well known agencies of the era like Ogilvie and Mather, also
represented brands like Hershey's, General Foods, and Lever (Schneider, 1987).

As creative agencies like Helitzer, Waring, and Wayne, and Ogilvie and Mather began to
economically thrive, new strategies were introduced to intertwine food and brand loyalty.
Amongst these techniques were product placement and branded characters. Calvert (2008)
speaks to the efficacy of product placement practices by explaining that through exposure to a
product, familiarity with an item can result in an affinity for a brand and thus lead to a demand in
the marketplace. Tylee (2005) identifies one of the most successful food product placements in
children's content as the integration of Reese's Pieces in the film *E.T. the Extra-Terrestrial.*
When the character E.T. famously ate Reeses's Pieces, national sales of the candy increased by
almost 66 percent. Indeed, today's children view approximately five times as many instances of
product placement compared to spot advertisements for Coca-Cola alone (Speers et al., 2011). A
second trend beloved by marketing executives in the food and beverage industry is the use of
branded characters. Known as media personalities built by brands to promote their product,
branded characters remain powerful marketing tools as children have difficulty discerning
whether their positive feelings relate to the character or the food product. This confusion has the
power to stimulate purchases and create perceptions of taste before ever trying the product. Tony

the Tiger is a well-known contemporary example, as the cartoon branded character was created by Kellogg's to sell their Sugar Frosted Flakes (Calvert, 2008). Experimental studies have shown that children prefer the taste of a breakfast cereal if a branded character is displayed on the box, regardless if the cereal in competition is the same kind (Lapierre et al., 2011). Other research investigating children's food packaging preferences discovered that both "fun" and "play" are important elements to children's fondness (Elliott, 2009). These observations provide insight as to why licensed characters are lucrative partnerships for the food industry, as they tend to increase sales. Popular movie characters like Shrek notoriously promoted McDonald's Happy Meals in 2007, leading to sales jumps for the fast-food enterprise (Bryant, 2007). The soft-drink industry employs similar strategies. Companies like Coca-Cola claim to not use celebrities or characters whose "primary" target audience is children twelve-years-old or younger, however, they continue to use animated polar bears, penguins, and Santa Claus to advertise the beverage (Jacobson, 2016). Indeed, the American Federal Trade Commission reported in 2009 that of the $9.65 billion spent advertising food and beverages across promotional channels, $1.79 billion was categorically spent on the child demographic, ultimately positioning it as a powerful industry (Leibowitz et al., 2012).

Davies (2010) acknowledges that although there is contention surrounding the commercialization of children's media culture, one issue that has generally brought together differing ideological ways of perceiving the child consumer is "the advertising of 'junk food' - or food which is 'HFSS' (high in fat, salt or sugar) as defined by the UK Food Standards Agency" (p.61). Other managerial bodies like the World Health Organization (2000) have echoed similar beliefs, as these practices have been linked to the rise in obesity among children. In their chapter "Media and obesity," Bradley Bond, Melissa Richards and Sandra Calvert detail these global health statistics. Bond et al. (2013) state that in 2012, 20 percent of children living in Europe and the United States are considered obese, which has been linked to environmental factors like children's media exposure (p.232). The effects that media exposure can have on children is not simply the messaging that children could internalize through their viewing, but moreover, the lower metabolic rate during the media consumption, the increased sedentary nature during the viewing, and the ways in which extensive viewing habits can impact sleeping patterns (American Academy of Pediatrics, 2011). Indeed, Bond et al. state that "for each additional hour of television consumed on the weekend at age 5, the risk of adult obesity increased by 7 percent" (p.232). Furthermore, in 2006, the Institute of Medicine found that televised food advertisements most commonly sell products in categories ranging from soft drinks to sugar-coated cereals (Bond et al., 2013). Knowing that children before the age of eight have considerable difficulty interpreting the intent behind a commercial, as they conflate and fail to delineate between commercial and entertainment-based content, these marketing practices require vigilant supervision to better manage adiposity (Calvert, 2008). Similar arguments have been communicated by the National Academics (Institute of Medicine, 2006), the UK Food Standards Agency (Hastings et al., 2003), and the European Commission (Matthews et al., 2005). Financial gains remain a primary rationale as to why regulatory bodies struggle to properly manage the industry. Ofcom stated that in 2004 total advertising spending in the U.K., in similar aforementioned food categories, reached £743 million. Of that £743 million, £522 million was allocated to television advertising and £32 million spent for children's airtime. Although this

figure does not exclusively reflect expenses allocated to the marketing of food and beverages, it nonetheless receives significant financial investment.

Three years after reporting that the U.K. spent approximately £743 million on this kind of advertising, Ofcom began implementing strict bans on "junk food" advertising throughout Britain. This ban, as reported by Ofcom themselves, "most particularly affected ITV, the main commercial broadcaster, which lost around 39 million pounds in annual advertising revenue. This loss of revenue led to a cancellation of its children's production - a reduction, instead of an improvement, in services to children" (Ofcom, 2007). By targeting HFSS products, the regulations set in place by Ofcom were extensive in their policies that limited the use of celebrities, licensed characters, promotional offers, or claims that were inaccurate. Indeed, Britain applied restrictions on the nuanced manifestations of contemporary marketing practices as it related to food and beverage consumer goods. If all adequately applied, "taken as a whole, this package of restrictions would offer significant protection to children and will have considerable impact on the amount of HFSS advertising they will see - providing a reduction of 51% for 4-9 year-olds and 41% for 4-15-year-olds" (Ofcom, 2007). As for the Canadian media landscape, Elliott (2020) identifies the introduction of Bill S-228, the Child Health Protection Act (2016), as a memorable Canadian policy effort. Similar to Ofcom, Bill S-228 was devised to legally restrict the marketing of HFSS foods and beverages to children under the age of twelve. However, unlike Britain, the Canadian senate failed to pass Bill S-228 before the 2019 federal election, making it null and void. Today there are no federal bills legally preventing these marketing practices, however, there are industry bodies that shape the industry.

Advertising practices that target children within the food and beverage industry in Canada are regulated by the CRTC, ASC, and are funded by Health Canada. When forming recommendation reports, Health Canada references Quebec's *Consumer Protection Act, Canada's Food Guide,* Agriculture and Agri-Food's *Food Policy for Canada*, along with the *EU Pledge* and the WHO's various recommendations and international bodies (Health Canada, 2017). The CRTC, along with consultation reports published yearly by ASC, define what is considered an "unhealthy food and beverage" and determine what "child-directed" advertising is deemed. These reports identify various marketing techniques and communication channels that are included and exempt from the aforementioned restrictions, as a way to regulate the prosperous industry. Unlike ASC, Health Canada considers the child audience to be those seventeen-years-old and younger. In a December 2017 report, Health Canada asserted that "child-directed advertising" for unhealthy food and beverages on broadcast television would be considered those that are "aired on weekdays from 6:00 a.m. to 9:00 a.m. and from 3:00 p.m. to 9:00 p.m., and on weekdays between 6:00 a..m. and 9:00 p.m." (Heath Canada, 2017). Children's food and beverage advertising can certainly take place outside of these time restraints, demonstrating that these institutional choices are informed by political and cultural perceptions. Additionally, although these practices are worthy of governance, the industry nonetheless receives public and institutional attention before, and instead of, other industries. This trend speaks to conventional discursive medicalized tropes (Kline, 2016), and moreover, a narrow view of children's media repertoire.

The study of children and their media can be understood as a microcosm of media studies as a whole, as it rests upon audiences, texts, and institutions as the realms of research (Lemish,

2013). As noted by Elliott (2020), children's food is a cultural category, as the way our culture communicates about food confers both meaning and politics. The emphasis on a singular industry contributes to the discursive trope of the child consumer in Canada, and also within competing markets such as Britain and the United States. In the same way that blind spots exists within Canadian policy for children's media, there are also points of focus and institutional emphasis. Policy-makers are capable of shaping industry practices and public perception, and moreover, the construction of children's identity and their role within the broader culture. Regulatory bodies that focus on controlling children's marketing can reflect questions of politics but not necessarily health (Elliot, 2020). By reflecting on trends within children's television programming, the regulation of product placement, and the governance of OTT media services, one can observe how these practices are an indication of wider social and cultural structures, relationships, and processes.

CHAPTER 4
THE NEOLIBERAL COLONIZATION OF CHILDREN'S MEDIASCAPES

The authors of cultural history focus on texts and images, on signs and discourses, to discover how the culture fashions power and pleasure, the body and the self, a sense of time and place. (Rutherford, 2009, p.272)

4.1 Introducing the television

Communication technologies create a media culture that teaches our children, with their corresponding institutions, "roles, attitudes and sentiments that reinforce consumer culture" (Kline, 1993, p.13). To explore the socialization that takes place via children's television programming, related advertising segments, and their regulatory institutions, requires understanding the intricate industry standards that shape these connections. The relationship between advertisers and television's institutionalized procedures remains inherently political, as brands expertly attempt to expand the commodity universe into the deepest parts of the human psyche, intertwining its objectives with human needs, relationships, and fears (Foster & McChesney, 2003). This chapter is concerned with Canada's history of advertising on television, the evolution of televised product placement (amongst other promotional mechanisms) as a popular marketing technique, and how these practices operate specifically with respect to child audiences. By examining these subjects, this chapter is able to contextualize the symbolic conventions and financial incentives that are intertwined with children's televised promotional experiences. On this subject, Lisa Gitelman (2006) has noted that by understanding and evaluating the history of multidimensional media, seemingly invisible norms under which they operate become more firmly established. Via forms of economic organization, like television's systemic dependence on advertising revenue, conventional practices involving complex combinations of technological infrastructures act as the foundation for our consumer culture. Gitelman writes,

> I define media as socially realized structures of communication, where structures include both technological forms and their associated protocols, and where communication is a cultural practice, a ritualized collocation of different people on the same mental map, sharing or engaged with popular ontologies of representation. As such, media are unique and complicated historical subjects. Their histories must be social and cultural, not the stories of how one technology leads to another, or of isolated geniuses working their magic on the world (p.7).

Similar to the emphasis that Gitelman places on conceptualizing media artifacts within their ontologies of representation, she is equally interested in commonly practiced fashions of use for these media, as protocols of use also point to established cultural norms. Similarly, Gene Allen and Daniel Robinson (2009) stress the importance of being interested in the messages and meaning that media carry, as they ought to "be understood in terms of their content and especially the different ways in which people interpret media content and media forms to construct personal meanings and social identities" (p.7). These communication technologies are structurally embedded in their social institutionalization which "changes the invested media

fundamentally" (Stöber, 2004, p.483). Within these systems we witness norms and values being produced and sustained over time, as well as ideological valences being built into our children's media environment.

The aggregation of various forms of media, whether it be newspapers or the radio evolving into its own term "the media," is an occurrence which Hans Frederick Dahl (1994) asserts directly coincided with the rise of television as "*the* dominant information and entertainment medium" (p.553). Indeed, media scholars have asserted that our collective understanding of media is fundamentally "linked to our experience of television" (Nerone, 2003, p.100). The creation of networks, specifically broadcast networks in the twentieth century, are firmly embedded in political and economic contexts that produced our national media history and have created our contemporary entertainment society. Newspapers and magazines framed the television as a sought after item for the home long before most North Americans were able to receive a TV signal. The purchase of such an expensive device was, essentially, a constructed media discourse, one that did not so much reflect social reality as shaped it (Spigel, 1990, p.76). Eventually understood as a cultural symbol of family life, the television became *the* central figure in images of the North-American home, as it occupied both significant physical space in the private sphere and metaphorical space in quotidian discourse. Affixed to the widespread introduction of the television was the broadcasted programming that followed. Caron and Cohen (2013) remark how Canadian public access television was launched in 1952 by two television stations in Montreal and Toronto, four years after its establishment in the United States, and almost twenty years after the United Kingdom. As of 2012, 99 percent of Canadian homes owned a colour television, with two thirds subscribing to cable and one in four subscribing to satellite services, demonstrating its pervasiveness in today's culture (Caron & Cohen, 2013, p.7). As the television grew in its availability and popularity, so did advertisers' marketing opportunities. Television's fundamental "insatiable appetite" for money meant that Canada adopted a co-operative model of public and private development, one that favoured both the growth of the CBC and the contributions of advertising to Canadian airwaves (Rutherford, 1990). Indeed, broadcasting's reliance upon external revenue sources reinforced its position as a cultural medium requiring national regulation, as governing policies were implemented to ensure the platform remained accountable to the Canadian public (Armstrong, 2016, xii).

The twenty-first century has seen massive developments in media technology, which has had powerful impacts on economic facets, and contemporary work and life. Mosco (1996) identifies commodification as the entry point for the political economy of communication, as it can condition the structures that shape social life. Our seemingly infinite space of information exchange has shifted and shaped the collective global marketplace and has defined new ways of reaching the potential consumer. Undoubtedly, the evolving ways advertisers are able to access audiences with a heightened degree of accuracy contributes to the economic strength of the industry today. Advertising in Canada generates significant revenue across a number of industries, which in part, makes clear why governing bodies often hesitate to create strict regulations. In 2016 the Canadian communications industry generated over $66 billion in revenues, $17.9 billion of which was produced by broadcasting services (Government of Canada, 2020, para. 18). Since advertising revenue is one of three conventional sources of financing for broadcasters, alongside subscriber fees and government subsidies, economists have described

practices of commercial broadcasting as the delivery of audiences to advertisers in return for payment (i.e. advertising revenues) (Armstrong, 2016, p.15). Although profitable, this relationship is only possible when consumer experiences are placed second to capitalist incentives. As McAllister (2019) eloquently summarizes, "One important reason for less-than-optimal media trends is the economic incentives and structures under which many media organizations operate. Sometimes the way media make money counteracts what we as a society need from media" (p.49). Canadian children's cultural artifacts are often an example of what McAllister describes, as media forms are institutionally managed based on their value becoming realized in the marketplace.

Children's broadcast television in specific and network television more generally acts as a pivotal player in both the Canadian cultural industries, and more broadly, the global marketplace. With approximately 75 percent of the Canadian population within 200 kilometres of the United States border, American content has historically, and still is, an influence on the Canadian mediascape and vice versa. Statistics from the Youth Media Alliance ("YMA") found that from 2007-2008, children's television reflected $103 million worth of Canadian cultural exports (Coulter, 2016). Although the United States is understood as a central figure of television content production, they are also historically known to be an importer of Canadian children's media products. Canada is a powerful actor in the production and distribution of children's programming, which as Natalie Coulter (2016) notes, "has been a constitutive component of our national mediascape" (p.109). Canadian children's consistent consumption of televised content certainly validates the industry's front-end investment. Indeed, the YMA maintains that during its peak from 1999 to 2000, "screen-based production aimed at children was budgeted at a total of $398 million" (Coulter, 2016, p.96). Much of this financing can be linked to Canadian children's interest and consumption of Canadian-based content. Caron et al. (2012) note in an intensive national study of Canadian children's television programming that in both English and French-speaking households, "preschoolers to around 7–8 year olds are relatively loyal to Canadian programming since producers here offer a variety of programs known for their quality. After the age of 8, there is a sort of vacuum, and Canadian content for this group becomes more and more rare" (p. 115). The industry of children's programming in the United States is equally significant. By 2001, it was estimated that 20 percent of American television watching were children's series (Foster & McChesney, 2003). In recent decades, Canadian industry expenditures have diversified to reflect how technological advancements are shaping children's viewing habits, which has reaffirmed Canada as a central figure on the global scale.

Since so many producers of children's content are transnational entities, few conglomerates determine the landscape for children's television and advertising consumption in North America. Steemers (2013) describes how various funding models beyond licensing are applied to the children's television sector, due to more participants competing over increasingly smaller budgets, producers needing to fund content via international forums, and pre-sales, as certain markets are more susceptible to being determined by previous successes (p.106). Steemers elaborates on these funding structures by explaining the domestic markets in Europe, most specifically Britain, has witnessed a retreat from broadcasting and producing children's television due to "strong competition from PBS and the US transnationals, as well as bans or restrictions on advertising around children's content which have made it an unprofitable

enterprise" (p.105). Moreover, several business failures specific to the children's industry have occurred in both Europe and North America due to these funding mechanisms. Steemers (2013) names 4Kids Entertainment, Entertainment Rights, TV Loonland, along with two redundancies, Chapman Entertainment and Chorion, as endeavours that did not make it to airwaves. Such developments are reflective of "smaller nationally-based production companies, who do not own multiple platforms and lack the resources or experience to develop brands which work beyond television" (Steemers, 2013, p.106). Although legislative and regulatory bodies who are within children's media ecosystem work to shape, and in their view improve, the nature of children's television culture through their governance, one can nonetheless understand why toy licensing, product placement, or program length commercials become common practices within the sector, as the forces of commercial competition are significant and risk intense.

Governing interventions that constitute the contested field of representation of children's media have noted that two trends are significantly responsible for the influx in children's advertising today. A 2004 American Psychological Association report describes these two tendencies as "the growth in advertising channels reaching children and the privatization of children's media use" (Wilcox et al., 2004, p.4). The internet, and other OTT media services, are relatively new platforms that contribute to the commercial content entering children's lives. Through a political economy analysis, the contemporary landscape of children's media suggests that beyond there being a global business of enormous economic proportions, there are social issues at risk. Lemish (2013) contends that for huge entertainment corporations,

> … children are not future citizens, rather they are first and foremost consumers. From such a point of view, childhood is not viewed as a distinct period in the life cycle, with attendant developmental needs that require development-oriented programming. On the contrary, this population is viewed as a distinct market opportunity requiring aggressive socialization to a consumer-centered lifestyle. (p. 7)

This market opportunity has expanded, and ultimately informs the practice of product placement.

4.2 Advancements shaping the television industry

Canadian's daily advertisement exposure is concerning, difficult to measure and ultimately a reflection of our consumer culture. The ubiquity of marketing, in its many forms, is a result of what experts have named an "attention economy," which treats human attention as a valuable and scarce resource to compete for. When eyeball time, meaning audience attention, becomes a currency of immeasurable value, marketing executives are forced to brainstorm creative ways to attract interest and assert influence amongst an otherwise crowded marketplace. In this competitive environment, advertisers become steadfast in building lifelong consumers. By introducing their brand to young people, they hope to forge a sustained brand loyalty across their lifetime. The sundry nuanced marketing mechanisms employed by brands and advertising agencies reflect an attention economy that has plagued our communication systems and entertainment texts since the beginning of the twentieth century. Various ICT applications and the incessant marketization of major broadcasting channels have facilitated access to the child consumer from the earliest of ages. Barrie Gunter and Jill McAleer (1997) cite that parent's reports indicate persistent television viewing begins between two and three years of age, and

moreover, that most published observations state a growth in attentiveness by the age of two years old. Hasebrink and Paus-Hasebrink (2013) further elucidate that in 2009, "8-to 18-year-olds in the US spent 4.5 hours per day with TV content; this figure was more than half an hour higher than years earlier. The overall viewing time reaches a peak for 11-to 14-year-olds. Boys tend to watch slightly more than girls" (p.33). Similar statistics reign true for Canadian children. In 2019 the CRTC stated in a Communications Monitoring Report that Canadian children aged 2 to 11 consume approximately 18 hours of television per week. Beyond the sheer intensity of children's television, concerns surrounding children's viewing habits also centre around the actual platform delivering this "TV content" and the quality of the programming they consume, as children "rarely keep to children's media" (Hasebrink & Paus-Hasebrink, 2013, p.18). Indeed, as summarized by Hasebrink and Paus-Hasebrink (2013), "When [children's] media practices transgress what at any given time are deemed key boundaries of media, genres or uses, the moral regulation of mediated childhood may turn into more intense debate and, indeed, struggle" (p. 18). Given that media can be amongst the most powerful forces in a young person's life, it is noteworthy that a portion of the content they consume is not meant for them. Although this trend likely fulfills young people's personal contentment and curiosity, this kind of exposure can be a point of contention for both the public and policy-makers.

As noted by Victoria Rideout, Ulla Foehr and Donald Roberts (2010), recent shifts in children's consumption patterns can be linked to multi-tasking across platforms, and moreover, the consumption of programs that are not necessarily meant to attract child audiences. Alexander and Hoerrner (2006) note that a "popular prime-time situation comedy may attract many more child viewers than a 'children's program' does, despite the fact that it is not targeted primarily to children, and children are not a majority of the audience" (p.29). Children viewing programming that is not necessarily within their target demographic contributes to the notable amount of television children are consuming. Product placement is a marketing technique that often relies on this genre conflation, and consequently, explicates how it can be challenging to regulate. A program that is emblematic of this tendency is *American Idol*, a reality television show that is not specifically directed to children but is known as one of the most popular shows for Canadian children two to twelve-years-old. In 2008 American Idol incorporated approximately $20 million worth of Coca-Cola product placement within the first thirty episodes of the show (Medical Offer of Health, 2008, p.8). Accounting for a little over 4,000 passive placements on screen, the 2008 season saw a 19% increase in incorporated branded content from the previous year (Sullivan, 2008). Coca-Cola and the show's other branded insertions benefited from children two to eleven-years-old viewing the program as it garnered more eyeball time, and ideally, formed more positive associations with the beverage. Drotner (2013) describes how the broadcasting industry has integrated rating systems and genre categories to help indicate what content is made for whom. Many of these institutional divides are based on widespread discourses of child development and are contextualized within sociological perceptions of childhood. When children breach these constructed boundaries of genres and other forms of institutional measurement, advertisers are able to more easily capitalize outside of regulatory measures.

Television's financial model, as Leiss et al. (1986) articulate, places advertisers as active lobbyists "in the commercialization of media and in recognizing them to suit their own particular needs and orientations" (p.152). Accordingly, the role of the television becomes synonymous

with its deeply intertwined relationship with the advertising industry. Asquith (2012) understands this phenomenon as hypercommercialism, which he believes is "embedded in the problems of 'big media' and monopolistic competition. Hypercommercialism cannot be separated from vertical and horizontal media concentration, the promotional ethos animating mergers and acquisitions, or the philosophy of corporate synergy" (p.107). Television's infrastructure is directly intertwined with neoliberal ideology and the promotional ethos that marketing fashions. Neoliberalism refers to an economic system that perpetuates the importance of maximizing profit and promoting free markets, which often leads to the growth of monopolies and deep wealth divisions. Systems and industries that apply this capitalist belief and promotional ethos frequently sustain commercialism over individual needs which can have problematic consequences. Marian Bredin, Scott Henderson, and Sarah Matheson (2012) emphasize the importance of examining Canadian television content within our "contemporary industrial and socio-political formation," which is categorically reflected in both our children's televised programs and their corresponding advertising practices (p.6). Advertisers' financial models are certainly key actors in sustaining televisions' industrial landscape, as government support for public broadcasting has declined while unlicensed digital media has flourished (Armstrong, 2016, p.130). A CRTC Communications Monitoring Report released in 2018 states that advertising constitutes 86% of private conventional television station revenue, and 19% for CBC conventional stations. Parliamentary funds also make up 71% of conventional television stations' revenue, placing it as the second biggest financier.

Over the last few decades, traditional modes of children's television consumption have certainly been impacted by technological developments. John Caldwell (2004) describes the "post-television" mediascape as being brought about by technological and institutional shifts and suggests that advertising is intrinsic to the ongoing success of television as a traditional platform for entertainment media. Our contemporary post-television era can be understood as an unbundling between the concept of the television and the medium that delivers the content, which can be traced to innovations like OTT media services (Poniewozik, 2014). New electronic media are frequently redefining notions of place since their consumption is divorced from a set physical location, which leads these media forms to undermine aspects of user's social positioning. Joshua Meyerowitz's (2014) concern for this unbundling of the user's experience is through its impact on the "situational geography of human life," as we are no longer "in places" the same way (p.279). In this post-television era where viewing practices are evolving away from the traditional television set, advertisers have fulfilled an important role in maintaining the lucrative nature of cable television.

Several industry and technological advancements have contributed to shifts in the nature of television viewing. A recent Kaiser Family Foundation study described how identifying today's "TV content" can now be associated with both programs set at the time of their broadcast, or "by means of time-shifted TV (on demand or self-recorded), DVDs/videos watched on TV or on a computer, and TV on other platforms like the internet, iPods/MP3 players, and cell phones" (Rideout et al., 2010, p.15). Modern technological advancements are hence a large contributor to the consistent inundation and accessibility of hypercommercialized content. Given the proliferation of the DVD player and video recording devices, it was found that,

the amount of use of these devices (0:41 hours per day) is lower than the use of TV

programs on a TV set at the time of their broadcast (2:39 hours); nevertheless, it fills a substantial part of children's everyday lives. This is even more true for different audio media, which are mainly used for music. (Hasebrink & Popp, 2006, p.34)

Children mould their media consumption habits around these technologies, as it shifts the way content becomes available to them, a term that Uwe Hasebrink and Kauffrau Popp (2006) call a "media repertoire." Children have been found to act in opposition to many assumptions held about their desire to consume certain forms of media. In terms of children's media repertoire, it is presumed that younger audiences gravitate towards more "new" media, as the competition and continuous growth pulls children away from "old" media, consequently acting as a replacement. However, "many findings regarding trends in children's media consumption contradict this assumption. Even if today's children devote quite a lot of time to social networking sites or online gaming, they continue to read books, listen to music, and watch television" (Hasebrink & Paus-Hasebrink, 2013, p.35). As a point of comparison, a recent UK study found that television continues to be the entertainment medium that children aged five to eleven-years-old would "miss the most" (Ofcom, 2017, p.23). Indeed, although streaming services and other technologies influence how children consume television programming, they are nonetheless still deeply tied to the traditional form.

In recent decades, streaming services have heavily established themselves in Canadian homes. As of April 2020, Statista declared that 41% of Canadians use streaming services on a daily basis to watch television, and 73% stream at least once per month. With approximately 6.78 million Netflix subscribers in Canada in 2018, industry experts anticipate an increase to 7.96 million by 2023 (Watson, 2020). Since OTT media services are able to reimagine and broaden viewing behaviours that sustain the profit-making principles of traditional network television, children are positioned as a site of interest. The attention placed upon the child consumer in the commercial realm relates heavily to their power, not simply as consumers themselves, but as a path to reach adult markets. This is true for both the television, post-television era, and a variety of other promotional mediums. The CRTC's Communication Monitoring Report (2017) asserted that children two to eleven-years-old have a relatively gradual decline from 2011 to 2016 in their traditional television viewership, while those twelve to eighteen-years-old decline more sharply in their weekly hours spent. Despite children's collective media consumption remaining steady, these statistics nonetheless explicate how new platforms are repositioning Canadian children's media environment. Children seem to be both media savvy to "new media," such as OTT services, and simultaneously loyal to more traditional forms of viewing. The expanding range of functionalities that these new devices offer bring into question how existing policy and governance might benefit from reform. This kind of meta-process of "mediatization," a term utilized by Friedrich Krotz (2009) and Sonia Livingstone (2009), mark new developments within the industry that act as signals to marketers, as "media are agencies of symbols and meanings, they provide children with orientation and the potential for identification" (Hasebrink and Paus-Hasebrink, 2013, p.37). Ultimately, the broad engagement that children display for different media forms have certainly initiated governmental debate and action over "what role, if any, government should have in regulating television, especially content that reached the child audience" (Alexander and Hoerrner, 2018, p.29).

4.3 Advertising as a cultural touchstone

As noted by a 2004 report published by the American Psychological Association, "advertising is hardly a recent human endeavour; archaeologists have uncovered signs advertising property for rent dating back to ancient Rome and Pompeii. Town criers were another early form of advertising" (Wilcox et al., 2004, p.4). Although fulfilling a role in even the most primitive societies, advertising as we experience it today began to take recognizable shape in North America in the early 19th century. Beginning with the inception and popularization of advertising agencies, often referred to as creative agencies, their commitment to the strategic promotion and marketing of curated content for their clients laid the foundation for contemporary brand building. The professional services rendered could take the form of public relations, competitor research, promotion, or related marketing support. Creative institutions like these have created what Rutherford (1994) calls "the art of our times" as they are an omnipresent element of contemporary popular culture (p.5). Although often met with a degree of suspicion, advertising developed a widespread presence in North America in the 1950s. Industry standards of the era would be considered largely unsophisticated compared to modern practices, as it was commonplace to consume "reason why" sales tactics which "treated the viewer as a rational consumer who liked argument or proof" (Rutherford, 1994, p.17). Often, this messaging took the form of testimonials or demonstrations. In the following decade, television advertising began to embody a more artistic nature, as the advent of colour television popularized the thirty-second spot commercial leading to more sophisticated techniques (Rutherford, 1994, p.152). With time, commercials became a medium to demonstrate creativity, innovation, and began to more directly participate in the larger culture. By transcending linguistic boundaries with the use of universal imagery, advertising's goals shifted to evoke more direct emotional bonds with brands and products, instead of simply invoking trust in the utilitarian value of a product.

Spot advertising tactics, television advertising's most conventional form, reserves the marketing of products and services to the window of air-time between or within broadcasted content. A contemporary commercial television hour retains aggregately eighteen minutes of spot advertising segments for purchase. This structure has engaged with less consumers in the last decade for a number of reasons, which has led to an influx of native advertising methods. Asquith (2012) remarks that the traditional commercial break has lost its novelty amongst both broadcast executives and advertisers alike, which is "a consequence of living in a world where promotional messages dominate so many spaces, advertisers are forced to go one step further to ensure their messages stand out" (p. 99). Foster and McChesney (2003) present a similar position, in that "commercial clutter" is a consequence of marketing firms needing to "run faster and faster just to stand still" (p.2). Through the colonization of media spaces, product placement becomes a tactic that responds to the over-saturation of neoliberal incentives within entertainment media (Asquith, 2012, p. 101).

Product placement, the practice of placing brands into non-advertising media, is a growing phenomenon that rests upon untraditional and indirect marketing frameworks, and is a manifestation of advertising's attempt to transcend linguistic boundaries that conventional advertising often relies upon. As a form of marketing communication that is based on implicit messaging, wherein the message, the sender and the precise intention of a brands presence is

strategically constructed, the practice elicits contention amongst public rhetoric. Janssen et al. (2016) discern brand placement as a hybrid message, as it "combines characteristics of both advertising and publicity" as a means to persuade purchasing behaviours (p.503). Although historically more prominent in films, the product placement industry in television increased significantly from 2001 to 2004. Experts believe this noteworthy shift took place after marketing executives noticed the success of *Survivor.* During the first episode of the 2000 season, *Survivor* rewarded the challenge winner with a bag of Doritos and a six-pack of Mountain Dew (Hernandez, 2005). The simplicity of this integration paired with the importance of the premiere episode encouraged advertisers to reimagine the kinds of marketing opportunities that were available. Reality television became a popular space for branded moments, as the marketing strategy could be more naturally integrated into the programming, while maintaining the effectiveness of the commercial intent.

Financial incentives are deeply intertwined with children's television programming. Asquith (2012) links television's current financial infrastructure to both cuts to public broadcasting, and the deregulation of media systems, which have led to a concentrated neoliberal media landscape. Asquith writes,

> F.B. Rainsberry's review of Canadian children's television cites funding as the most significant concern facing the CBC's children's unit throughout its history. Without sufficient public funding—an ongoing problem in a climate where public television is expected to 'compete' like any other business—even public broadcasters begin to make children's programming decisions based on advertiser imperatives. (p.108)

Financial strains often become the raison d'être and essentially shape the broadcasted content. In the American market, it is estimated that spending on child-directed television advertising amounts to more than $1 billion yearly in the United States alone (Wilcox et al., 2004). In comparison, *Advertising Age* reported in 2003 that Canada spends an estimated $5.3 billion on advertising across all mediums for all age categories. Categorically speaking "39% went to TV, 39% went to newspapers, 13% to radio, 5% to magazines and 4% to outdoor, with online ad spending pegged at $71.9 million" (Advertising Age, 2003). Only seventeen years later, eMarketer's 2018 annual reports noted that total media advertising spending in Canada reached $11.52 billion and estimates that by 2022 will exceed $14 billion (para.2). This assessment was based on a variety of factors including macro-level economic conditions, historical trends, consumer media consumption, device usage, and reported revenues from major research firms. Product placement spending is also an astronomical business in an of itself. In 2019, PQ Media reported that globally the industry reached $20.6 billion which increased by 14.5% from the previous year. Unfortunately, little data exists on how much advertisers spend on product placements for child audiences, as so much of children's viewing permeates set demographics and agreements are often not revealed in their entirety.

Advertisers' investments in marketing to children create astounding financial returns. From 2000-2001, Megan Larson (2001) reported that adverting on children's networks earned approximately $750 million for both cable and broadcast networks, with a large portion coming from the food and beverage industry. Beyond the direct returns to the television networks, these children influenced staggering purchases. American children 4-12 are reported as controlling almost $29 billion every year (McAllister & Giglio, 2005, p.30). In comparison, the YTV sales

website proudly claims that Canadian children and tweens influence $20 billion in household purchases every year, and that the network alone is seen by approximately eight million homes across Canada (Asquith, 2012). In the United States it is estimated that children spend $24 billion on direct purchases and influence another $188 billion in family spending (Foster & McChesney, 2003).

Advertising remains a central pillar in funding for broadcast television as brands are able to measurably discern, through a number of mechanisms, which investments are the most cost-effective. The ranging costs of advertising segments vary on a number of factors, including the program's popularity and intended demographic, and the frequency and length of the segment the brand chooses to purchase. Although broadcast networks are increasingly competing with the growing presence of streaming services, live televised events continue to attract large audiences, making the advertising spaces progressively competitive. Whether it be the Olympics, a *Saturday Night Live* anniversary episode, or the Superbowl, broadcasters have been known to charge over half a million dollars for a 30-second spot (Poggi, 2018). Indeed, the United States report that children view more than 40,000 commercials each year, which reflects consistent increases in the last few decades, and expounds the overwhelming financial investments being made (Wilcox et al., 2004). For both adult and child-based networks and programs, broadcasters encourage advertisers to purchase their segment slots through what they call "the upfront season." This advanced-selling season is a financial framework that allows networks to sell advertising space months in advance, so that brands can more precisely align their goals and messaging with a series finale or cultural moment. Dating back to a 1954 Nielsen Rating's methodology, networks also commonly participate in a "TV sweeps period," between February and March. This few week span entails networks integrating attention grabbing strategies, whether that be a well-known celebrity guest or a wedding episode, consequently changing advertiser's fees. These institutional mechanisms increase pricing metrics, or what the industry refers to as "CPM," a term that reflects the cost of reaching every thousand viewers.

Traditionally, a coveted "primetime" spot on television has been 8pm to 11pm. With OTT media services, pay-per-view subscriptions, and other technologies like DVRs gaining momentum, this preferred segment weakened in its CPM metrics. From 2013 to 2015, broadcast television's primetime slate went from accumulating $9.2 billion advertiser dollars to $8.17 billion (Laurendeau & Marquez, 2006). Indeed, as viewership shifts so does the extent of advertisers' neoliberal colonization of the television screen and the institutional measurements employed to validate advertising spending. Similar institutional standards remain applicable to Canadian children's programs. Beginning in the 1960s, Saturday mornings became a dense spot for targeted advertisements towards children. Approximately eighty years later, toys, cereals, candies, and snacks compromise 75% of all advertisements shown on major television networks during Saturday mornings, ultimately demonstrating how certain ideological valences are built into the industry's practices (Wilcox et al., 2004). Indeed, an American consumers organization found that television stations report approximately 25% of their advertising revenue from the food industry (Laurendeau & Marquez, 2006). Certainly, child audiences are large motivators for these branded agreements.

By the 1980s, product placement in Canada "became an industry unto itself, with specific agencies created to broker deals between advertisers and film and television

producers" (Asquith, 2012, p.100). A large concentration of these advertising strategies appeared in children's "dayparts" (Asquith, 2012, p.102). A daypart is "a period of time in a programming schedule that receives a relatively stable audience across multiple shows. Because these dayparts offer stable demographics, the entire block of time can be sold to advertisers" (Asquith, 2012, p. 102). For children's television both after-school and Saturday morning time slots fall within this definition. Similar to other institutional measurement practices like the upfront selling season and TV sweeps periods, dayparts are highlighted by industry executives as time periods that have higher likelihoods for financial success, as these are more traditional times that children view television. Product placement and PLC frameworks thrive in this media environment.

Similar to the way Nielsen ratings have become an institutional measurement tool, the product placement industry has adopted methodological tools to measure the value of a partnership. In 2003, iTVX was established to assess the monetary value attached to product placements on television (Foster & McChesney, 2003). iTVX considers factors such as the prominence of the product on the screen, and the extent of its engagement with the narrative, and prescribes a level from one to ten to reflect the assessed quality of the branded insertion. Level one has been described as a clear visual of the paid product in the background of a scene. A level ten brand integration is delineated by a program basing the episode's entire script on the product (Foster & McChesney, 2003). An example of a level ten product placement, according to iTVX, is season four episode twenty of the popular series *Seinfeld.* The episode showed the ensemble cast eating and talking about Junior Mints throughout the length of the program, with the candy placed at the centre of several jokes (Casimir, 2004). A level ten brand integration assumes that the partnership will be distinctly memorable to the viewer and hence induces a higher likelihood for future purchases. The advertising industry has already-established modes of objectively valuing a commercial time slot, whether that be CPM metrics or other aforementioned forms of measurement. iTVX's goal is to demonstrate the sustainable potential of the practice by assisting networks and advertisers to measure fair compensation structures. Certainly, the way *Zevo-3* created entire episodes based on Skechers products would mark a level ten brand integration.

4.4 Product placement as the re-imagined program-length commercial

Throughout this chapter I have provided a number of institutional shifts by which advertisers have attempted to create a framework of advertising that limits more traditional forms of advertising. These same regulations, however, tend to allow promotional formats like the PLC and more subtle brand integration techniques to prevail. Consequently, children's programming continues to reflect the lack of discernment between entertainment-based content and commercial incentives. In this following section, I demonstrate that product placement, under its many forms, with boundaries that are malleable, is an industry practice that has evolved outside of government regulation. As institutional change and bureaucracy is often delayed to take effect, I demonstrate how the children's television industry continues to expand with the help of the internet and other new media advancements, leading to regulatory blindspots.

Utilized in the early 20th century movie industry, product placement evolved as a significant source of revenue for television in the late 1980s (Ginosar & Levi-Faur, 2010). Films like the beloved *E.T. the Extra-Terrestrial* (1982) infamously integrating Reese's Pieces,

Superman (1978) eating a bowl of Cheerios, or *Jurassic Park*'s (1993) use of Ford cars, made children's films an active site of brand integration. Although product placement has transitioned into the realm of television, it has nonetheless continued in children's films. In 2006, *Curious George*, a well-known children's tale integrated product placements for both Volkswagen and Dole (Hornick, 2006). Indeed, Ines Spielvogel, Brigitte Naderer, and Jorg Matthes (2019) found that from 1991 to 2015, 64.4% of children's movies in North America contained a product placement of some sort. The ongoing success of brand integration in films demonstrated its potential for television programming, and along with four major shifts in the communication environment in Canada, industry experts gained insight to the potential commercial opportunity product placement could provide in a technologically-infused age. These four shifts are the emergence of cable networks, television recording devices, the internet, and the rising production costs of spot advertising (Ginosar and Levi-Faur, 2010). Recording devices gained mass-market success in the late 1970s and early 1980s which played a particularly influential role in the emergence of product placement. These technologies allowed the consumer to record live programs of interest and re-watch them at their convenience. By allowing the consumer to play, pause, fast forward, and rewind the content, spot advertisements were passed over and largely unseen. It was estimated that in 2015 only 30% of the $67 billion spent on TV advertising in North America was viewed (Canadian Radio-television and Telecommunications Commission, 2018). This consumer control, alongside the rising popularity of the internet and the proliferation of popular streaming services like Netflix and Crave, gave commercial broadcasters unprecedented competition. Companies were presented with less incentive to traditionally market their brands, as consumer's eyeball time became infrequent and inconsistent. Less demand to create these spot advertisements led to increasing production costs, and eventually, the development of alternative modes of accessing the private sphere. With the rise of consumer autonomy and choice vis-à-vis specialty-based service television and subscriber-based programming, brands diversified their approach to engage the masses. Although conventional advertising segments remain a part of the zeitgeist, product placement aligns itself as a managerial response to the consumer's behaviour across platforms.

Co-promotional marketing is an advertising tactic commonly practiced by streaming services like Netflix, which appear interchangeable to traditional product placement, or mirror more general objectives of the PLC. Co-promotional marketing is when a brand will promote a television show through their own public relations channels in exchange for a televised placement of their product. Traditionally, this approach is more common amongst movies than television, however, Netflix's series releases garner comparable viewership and publicity to mainstream movie releases which makes them a prime partner. Throughout *Stranger Things*, a Netflix series released in 2016, brands such as Burger King and Coca-Cola, amongst others, allegedly integrated approximately $15 million worth of product placement throughout the three seasons (CBS News, 2019). Netflix refutes these claims, and instead describes it as a mutually beneficial relationship wherein Burger King created an "Upside Down Whopper" and Coca-Cola brought back "New Coke," two items that were woven into the *Stranger Things* storyline. It is estimated that Coca-Cola earned the equivalent of $3.8 million in advertising revenue for this arrangement, proving that this strategy infiltrates the media streaming environment with success and influence, regardless of the nature of the agreement (CBS News, 2019). McAllister (2000),

contends that co-promotional strategies were initially introduced by entertainment companies in the 1990s (p. 104-105). Such approaches grew out of entertainment conglomerates facing new competition from "a proliferation of channels and other technologies like the personal computer, began extensively branding, promoting, and cross-promoting themselves" (p.104-105). Asquith (2012) builds upon this historical fact by contextualizing YTV's approach to the child consumer. Asquith writes, "YTV promotions often include an on-air element, an online presence, an event marketing component, and, in some cases, a print execution" (p.108). YTV, like other networks, employs 360 degree marketing campaigns which includes co-promotional processes. While the child consumer may be capable and willing to consume, they may not necessarily understand the mechanics and reasoning behind *Stranger Things's* execution.

Character marketing, a strategy that has similarities to product placement, has been a long-standing issue among those critical of children's marketing practices, for it encourages a forging of a relationship with the characters on screen with a branded product (Asquith, 2012, p. 107). Hensley and Snyder (2018) explain how there are many ways that the production and dissemination of visual artifacts in our media environments can facilitate misinformation. Hensley and Snyder trace approaches from intentional deception to naive interpretation as contributing to the framework which extends beyond a traditional visual media literacy and encourages a break down in credibility. Sheelagh Carpendale (2008) notes that dimensions of potential visual misinformation can derive from not the data visualization itself but instead the context in which it is presented. The location of such imagery or use of linguistic appeals can evade the rigorous examination that some text-based information might receive. Thus, although not outrightly intended to deceive, the result is the same. In his chapter "How to Counteract Consumer Product Misinformation*,*" Bullock (2018) states the importance discussing ways in which "a more aggressive, holistic, and creative approach to counteracting misinformation about consumer products can complement existing institutions" (p.212). With children's marketing practices booming in the late 1990's, a new plateau of commercialism and misinformation had been reached on children's networks. Brand integration in the form of product placements, PLCs, co-promotional marketing, or character marketing are exemplary of this trend.

For aforementioned examples like *Hot Wheels* and *Star Wars*, there is an effort by media executives to profit upon "primary media communities," a term which Joseph Turow (2009) believes emerges when viewers feel "part of a family, attached to the program hosts, other viewers, and sponsors" (p.5). When advertisers identify a program that children positively identify with, it becomes an ideal space for placing other forms of positive somatic markers. Marketers have found that when children are infatuated by a toy, they are more likely to be invested in entertainment media that involves that item. Character marketing is at the crux of the PLC and product placement framework. Indeed, setting the limits across product placement, brand integration, character marketing, PLCs, or other forms of nuanced advertising methods is difficult, as they all rely on one another to fulfill our children's media ecosystem.

When asking pointed questions regarding the discursive forces and institutional actors that have shaped product placement regimes in Canada, it is helpful to consider how language in regulatory texts shape these ideological parameters. Marketing frameworks that aim to favourably connect with child audiences are motivated by commercial incentives and based on hegemonic interests and powers. These marketing strategies, whether it be product placement or

a PLC, are indications of larger frameworks of power. The transformation of self-image that is stimulated by the consumption of popular culture, and its associated commodities, produces identities and practices that are in excess of the needs of capitalist culture. Networked television produces a performative language that is expressed in our everyday interactions, and is brought into existence through both visible and subconscious hegemonic ideologies. These capitalist interests come to into focus via tangible pieces of public policy, which have invariably deeper consequences for child audiences.

CHAPTER 5
THE BOUNDARIES WITHIN CANADA'S INSTITUTIONAL
GOVERNANCE OF CHILDREN'S ADVERTISING PRACTICES

> The aim of critique is to reveal subterranean structures or aspects of a
> particular discourse, not necessarily to reveal the truth of or about that discourse. What
> critique promises is not objectivity, but perspective. (Brown & Halley, 2002, p.26)

5.1 A note on methodology

Everyday practices and codes of representation are embedded in our unspoken and
spoken communication; they are modes of signification, and all such codes are further structured
by the media in which they appear. The continual presence of representations disguised as truths
sets the boundaries of our idealized, and legitimized, existence and shape the political relations
of ideology. Before a message can have this kind of impact, it must first be appropriated as a
meaningful discourse and decoded by the populace. Media's ability to communicate, influence,
and inform people by spreading such discourse and giving forms to social life can create
conditions in which some forms of regulation might be desirable. Critical discourse analysis
("CDA") is a theoretical framework that has compellingly assisted researchers in observing
social reality. By possessing the deep analytical capacity to examine maintained systems and
frameworks that mediate the complex relations of our societies, CDA can be employed as a tool
to better understand "normalized" representations. CDA separates itself from other discourse
analyses, according to Teun van Dijk (1985), through its ability to formulate criticism, provide
alternatives, and place accountability onto the discourses that emerge as relevant within a studied
phenomenon. Once the "microsociological patterns that characterize our societies" are
pinpointed through this method, symptoms of these surfaced discourses can be challenged and
disrupted through institutionalized management, and moreover, by refining the procedures that
reaffirm their ideological formulations (p.7).

Critical policy studies considers the exercise of power and the ways in which it
constitutes and produces practices, policies, and regimes which qualifies the positionality as
being ideal to combine with CDA's methodology (Howarth, 2010). Maarten Hajer (1993)
employs critical policy studies to elucidate the "discursive production of reality" by connecting
groups of policy actors who construct social ideas or narratives that infiltrate regulatory systems
(p.45). From Hajer's perspective, the framing of an issue in society manifests through a group of
actors who share a mutually agreed upon social construct, a term he names a "discourse
coalition" (p.45). Through this affiliation of discourses, meaning is asserted onto issues through
an exertion of power. Hajer highlights how these social constructs do not take place in a
historical vacuum but instead, emerge in "the context of historical discourses which contain
knowledge of how similar phenomena were dealt with in the past" (p.45). It is discourse, then,
that establishes how and why certain problems are provided widespread attention and
emphasized through their association to institutions or actors, and others are not conceptualized
as salient. Hajer elaborates upon these statements by distinguishing how discourse is often
understood and discussed in the singular, however, discourse formation requires recognition of

the multiple ways in which discourses converge at varying levels and localities, for "the political arguments of actors typically rest on more than one discourse at a time" (p.46). The ways in which these discourses co-exist and support one another, what Hajer names "discourse clusters" are "held together by *discursive affinity:* arguments may vary in origin but still have a similar way of conceptualizing the world" (p.47). Given the related nature of these discourse, there is a suggestion that through the popularity of a set of discourses, the ability to dominate a political realm requires two conditions to be fulfilled. The first condition asserts that the discourse coalition in question must dominate the discursive space, meaning that pivotal actors accept and internalize the rhetorical power of the discourse. The second condition, according to Hajer, necessitates institutionalized practices to reflect the nature of the discourse coalition (p.48). Indeed, the discursive spaces where issues are debated and struggle for dominance is an ongoing effort to frame certain ideas, concepts, and categories through the lens of specific normative or analytical convictions. Consequently, as delineated by Hajer, critical policy studies is most powerful when contextualizing discursive constructions within the social-historical conditions that produced and sustained the statements. Analyzing texts becomes an obligatory step in evaluating how power is asserted and changes, and how potential is reproduced, which this chapter aims to do within the Canadian broadcasting and advertising context (Fairclough, 1993).

Michel Foucault (1969), a French philosopher who has had strong influence in examining the relationship between power and knowledge, saw discourse as deriving from a "semi-silence" and not solely an "already-said" notion that proceeds it. Through this lens, it is supposed that discourse signifies power through what is suppresses, or what is ignores. Stating what discourse is unavoidably and silently infers what discourse is not. Foucault later discerned in an inaugural lecture "The Order of Discourse" in 1970, that embedded in any given field of interest lies customs and rituals, values, and practices that regulate social processes, behavioural norms, the operation of roles, structures, and hierarchies, all of which may benefit from a degree of oversight and governance. Later in Foucault's published work *The Archaeology of Knowledge* (1972)*,* he describes that if one were to not examine such discursive relations, it would assist what discourse attempts to cover and thus create "themes whose function is to ensure the infinite continuity of discourse" (para 6). When discourses are able to persist and materialize without question, the social phenomena that reflects the distant origin of the given discourse is supported, instead of treating it as when it occurs (para 6). As systems of signification often communicate narratives as they are perceived within specific dimensions of power, it becomes important to facilitate an ongoing critique of these otherwise normalized representations.

Foucault's concept of power acknowledges the diverse influences of social and political relations of policy, beyond the immediate political arena. As Foucault (1980) observed, "…there are manifold relations of power which permeate, characterize and constitute the social body, and these relations of power cannot themselves be established, consolidated nor implemented without the production, accumulation, circulation and functioning of a discourse" (p. 93). Accordingly, a discursive analysis of institutions tasks itself with making-sense of tensions and discourses, and the ongoing operation of power and social practices. Foucault (1990) also stresses that he does not see power as being solely exercised by states, institutions or individuals, but instead as existing universally (p.93). Fundamentally then, not only can discourse construct and disseminate power, it is able to "undermine and expose it, render it fragile and make it possible

to thwart it" (p.101). These assertions connect to those of Nikolas Rose (1996), as he believes discourse analysis is capable of exposing the "will to truth," or the accustomed way of governing, and opens up questions about how the diverse components of policy processes "produce effects that have meaning and consequences for us" (p.38). The perception of due diligence in Canada's governance of children's advertising practices attains a particular web of beliefs that is reflected in deeply embedded discursive tropes.

Foucault's (1969) theorizing of discursive formations is particularly helpful to the CDA methodology, as he describes the regularity and functioning between statements as a system of dispersion that he calls a "discursive formation." In elaborating upon this term he writes,

> the conditions to which the elements of this division (objects, mode of statement, concepts, thematic choices) are subjected we shall call the *rules of formation.* The rules of formation are conditions of existence (but also of coexistence, maintenance, modification, and disappearance) in a given discursive division. (p.95)

Ien Ang (1991) through her assessment of Foucault's arguments, emphasized the function of language within the meaning-making production. Ang understands language as an "elusive field of orality," as it is capable of transforming otherwise unknown objects to be known and situated within "power-laden institutional contexts" (p.8). Through this system, Ang analyzes the role of expressed discourse from the perspective of television's audience-hood. Her concern is deeply associated to how discourses attain power, and how situated practices are a site of institutionalized desires to control. Akin to Ang's examination of how major television institutions involved in the organization, production, and communication of programmes is how they operate to control their audiences by treating them as objects of discourses. This research concerns itself with a similar goal, as I am interested in which inextricably embedded discourses are within Canada's institutionalized broadcasting governance.

In his chapter "Ideological Structures in Discourse," Gunther Kress (1985) highlights the relevance of context when assessing discourse. Although noting that discourse emerges in and through texts, Kress delineates how the expression of discourse within a specific genre or category is able to assert meanings, potentialities, and limitations that speak to the social domain from which it derives (p.28). Consequently, discourse finds its expression in texts, which can demonstrate certain areas of social life and is an abstract construction of the aggregate (p.29). This is why Kress believes a linguistic form presented in isolation does not carry the same meaning, and does not enact the ideological function it may otherwise possess when it is expressed in the intended systematic classification in which it arrived. A term which Kress calls a "repertoire of discourses" often facilitates a simple reproduction of a discourse (p.31). Vivien Schmidt (2008) echoes similar thoughts regarding policy formulation by writing that discourse is,

> … the interactive process of conveying ideas. It comes in two forms: the coordinative discourse among policy actors and the communicative discourse between political actors and the public… The institutions [posited by] discursive institutionalism, moreover, are not external-rule-following structures but rather are simultaneously structures and constructs internal to agents whose 'background ideational abilities' within a given 'meaning context' explain how institutions are created and exist and whose 'foreground discursive abilities,' following a 'logic of communication,' explain how institutions

change or persist. (p.303)

As discourse analysis is both an interpretative and qualitative process, this chapter attempts to identify, through textual evidence, discursive constructs that materialize within relevant industry policies. ASC's *The Broadcast Code for Advertising to Children,* published by the national, independent, and not-for-profit advertising self-regulatory body, administers the societal benchmark for children's televised advertising practices. This document, short-formed as *The Children's Code* will be further contextualized by ASC's *Annual Ad Complaints Report* from 2009-2019, as well as their *Consumer Complain Procedure*, as it identifies how complaints are received, handled, processed, and published by the self-appointed committee. ASC manages consumer complaints in print, out-of-home, broadcast, cinema, and internet advertisements, however, this research is solely concerned with their managerial response to broadcasted content. By examining the aforementioned documents, this study aims to expound the institutional divide between modes of children's advertising that are more traditional and therefore reflected in regulations, as opposed to more nuanced practices, like product placement, that are executed outside of governing frameworks. These policies, by way of word choice and established boundaries, communicate underlying discursive presumptions about Canadian society and culture. Emphasis placed on managing food and beverage marketing towards children, and less so on other kinds of commodities and industries, is framed as a limitation.

The CRTC also made regulatory policy amendments in 2012 regarding their definition of a "commercial message" which has had effects on how product placement is governed in Canada. This definition, along with OfCom's *Broadcasting Code* updated in January 2019, and the United States' FCC decisions regarding product placement practices, will be referenced as points of comparison. By providing comparable models for Canadian policies, this study is able to consider underlying discursive symbols of childhood, consumerism, and our promotional culture, as it pertains to Canadian culture and society.

5.2 *The Broadcast Code for Advertising to Children*

The Children's Code identifies its purpose as intending to recognize the special characteristics of a child audience, whether that be their dynamic social, physical, or mental development status, and consequently, aims to create a comprehensive set of guidelines for advertisers' common practices. As acknowledged within the introductory language of *The Children's Code*, the document is supplementary to existing laws and other governing agencies, and therefore does not independently establish regulatory mandates for advertiser's processes. Nonetheless, as a guideline that is solely responsible for setting the boundaries of appropriate and ethical children's advertising strategies for specified mediums, it is curious that their document is only seven pages in length. Children's advertising permeates Canada's communication industries at diverse entry points, making it both a pervasive and unavoidable cultural touchstone. Knowing this, it becomes somewhat hard to imagine that an organization could feel adequate measures had been established in only seven pages, even if the document is meant to be read alongside other reports. Tightly bound to ASC is CAB who follow a separate reference guide titled *Advertising to Children in Canada*, which is 24 pages in length. Within ASC's seven-page policy, and CAB's 24-page supportive document, is an incomplete portrait of

Canada's present-day advertising industry. Both ASC and CAB are industry bodies whose regulatory texts are meant to be read alongside other laws or restrictions, whereas the CRTC is a public body that can implement binding decisions. Nonetheless, both institutional frameworks are worthy of analysis as they shape practices and public understanding. Similar to how consumer issues were lightly addressed in the CRTC's recent report *Canada's Communications Future: Time to Act*, pressing topics evolve when decades lapse between document updates.

  The Children's Code is an example of this tendency. It is stated that *The Children's Code* was last revised in 1993 and the last update took place in 2015. To trace the reform that has occurred within Canada's advertising sector in the last few decades, as it relates to technology, financial structures, emerging platforms, amongst other facets, is nuanced and significant. Industry policies that do not undergo consistent revision from policy-makers enable commercial exploitation, as actors are able to leverage bureaucracy's delayed responses, in turn expediting industry practices. These trends are representative of a discursive production of reality, involving conceptions of both commercialization and consumer culture. Scholars have compared discourse to icebergs, in that meanings a discourse communicates within a text are often not explicitly expressed, but presupposed to be known by the recipients, as so much of its motivations are submerged from plain sight (Van Dijk, 1985). Broadcasting institutions and their actors are aware of the numerous barriers that are meant to facilitate accountability within their industry. Consequently, they are able to effectively recognize that delayed policy-making is a normative aspect of the industry, leading them to invest resources to operate outside of established boundaries. Kress (1985) points to how our institutions creates dialogue that surrounds certain parts of our social lives, in turn naturalizing markers of significance. In the case of *The Children's Code*, when revisions take place every few decades, regulations do not reflect current industry practices, in turn creating policies that do not detect the subtleties within cultural texts. By limiting the length and language within *The Children's Code,* ASC is institutionally tightening perceptions associated with the industry, and its regulatory dimensions, therefore delimiting the conversations and awareness that circulate throughout the public sphere.

  Broadly speaking, an inherent issue about regulatory documents no matter the industry is that by creating a definition that has specificity, inherently it identifies what exists outside of that definition. Found in Section 1(c), a characterization that acts as the crux in *The Children's Code* is its definition of children as persons under 12 years of age (2015, p.2). Elisabeth Anker (2007), expresses in the *Encyclopedia of Governance* how discourse's power operates by creating reality via processes of inclusion, meaning that often in policy-making there is a capturing of discourse through the employed language of the text. When discourse delimits what is intelligible within a social context, there is a determination of what can and cannot be understood within that circumstance. Anker writes, "Discourse is thus both a productive and a repressive form of meaning making" (p.232). By defining the child consumer as distinct age bracket, and in turn inferring demographics that are not within the boundaries of protection, *The Children's Code* is actively applying meaning that reflects normative perceptions of children's sociological development. Lemish (2013) names this constructed boundary as "newly invented sub-periods of childhood" (p.3). To devote certain safeguarding to those under twelve years of age, is to create a separate popular culture and taste culture for what North American society has called the "tween," ie. those that are slightly older than this "child" category. In the same way that the

tween represents a consumer market, so do babies, toddlers, tweens, and teenagers. Lemish (2013) maintains that discursively constructing separate areas of childhood directly correlates to economic interests, as it allows for more specialized products and entertainment features to be created, and thus more dedicated consumers who adopt niche interests. Children's markets work to naturalize clear segregations between girlhood and boyhood in toys, advertising practices, and TV programs. Age groups narrow these categories further, for policies that frame age in this way reflect "the defining, handling and regulating [of] social problems as moral problems" (Drotner, 2013, p.17). Media can be catalysts and creators of otherwise unspoken cultural boundaries for children, and by voicing these perspectives as a moral obligation or concrete reality, these conceptions of childhood become concretized. Kress (1985) has described how the range of linguistic features within a text can make up the characteristics of the discourse. In the case of *The Children's Code,* defining age categories in this way can be understood as an effort to form an abstract aggregation of discourses.

In section 2 of *The Children's Code,* the document further sub-categorizes the child audience into those of "pre-school age" (p.5). Specifically, for pre-school children ASC states, "…any commercial message scheduled for viewing during the school-day morning hours should be directed to the family, parent or an adult, rather than to children and should have the requisite ASC clearance number if appearing in or adjacent to a child-directed program" (p.5). Broadcasted media plays a role in the structuring of our time, and the development of what Conrad Lodziak (1987) calls the "political economy of time." Limiting the protection of pre-school children within "school-day morning hours" is a narrow declaration about children's viewing habits. Although breakfast time is a popular portion of the day for children to watch television, it would nonetheless be a more rigorous policy choice if protection expanded beyond this time-frame. Moreover, to direct a commercial message towards the family, or an adult, during a determined time-frame, does not altogether remove the pre-school aged child from being introduced to, and consuming, the advertisement. The television has become a synonymous symbol, both physically and metaphorically, with the private sphere and the family home. Identifying pre-school aged children as consuming television and consequently commercial messages primarily during the "school-day morning" ignores the pervasiveness of the television and viewing habits, whether that be at any hour of the day, or on weekends. As Fischer et al. (2015) recognize, value judgements influence policy decisions, and by doing so, politics rise above sound knowledge. Fischer et al. call for a sharp separation between facts and values, and describe how the most powerful response to social problems are through forms of practice, as opposed to policy. Both ASC and the Children's Advertising Clearance Committee actively aim to shape the industry towards practicing more ethical advertising norms, as an institutional moral care is necessary to mobilize more critical and productive orientations within the industry. Poignantly stated by Stuart Price (2007), he writes, "A text which advocates a consumer solution to a social problem recognizes a 'fact' but operates in a limited discursive sphere; as a result, it cannot produce useful guidance for conduct which falls outside its borders" (p.9). Indeed, this observation describes how *The Children's Code* maintains facts that are meant to reinforce a certain discursive sphere, in turn reaffirming the goals of the hegemonic powers: that children's relationship with advertising is unavoidable. *The Children's Code's* concerted efforts to place this pre-school age group's supposed consumption patterns within

these goal posts is an exertion of institutional power, meant to establish confidence in ASC's motivations, meanwhile no efforts to abolish or even accurately maintain these commercial practices seem to be realized.

Jean Beaudrillard (1993) recognized that we live in a sort of "hyper-reality" wherein representations replace concrete materiality. When *The Children's Code* sub-categorizes age brackets to more tightly define stages of childhood, policy is elevating perceived norms as universally held realities of our culture, thereby stabilizing ideas that reflect hegemonic interests. Television as a platform interacts with this enactment of power in carefully crafted ways. Ang (1991) directs attention to this phenomenon through the relationship of television institutions and its audiences by writing,

> … epistemological issues are instrumental to political ones: empirical information about the audience such as delivered by audience measurement could become so important only because it produces a kind of truth that is more suitable to meet a basic need of the institutions: the need to control. (p.10)

By discursively drawing out distinct age-groups, *The Children's Code* is able to reaffirm a truth that supports its own institutional control. Rose's (1996) discussion concerning the "will to truth" echoes this discussion, in that within policy processes' need to control, there is a deliverability of "truth" based on what is suitable to the end goal. *The Children's Code* rationalizes their definitions of distinct age categories by writing,

> Audience analysis and other studies of children's interests and viewing habits show a major, definite shift in viewing patterns at the age of 12. Using this age-level definition has the further advantage in that the Children's Code will conform to the audience breakout used by BBM Nielsen Media Research Inc. (p.5)

It is curious that *The Children's Code's* reasoning for defining this age-group relates to viewing patterns, when there is no description of these "viewing patterns." As previously noted, *The Children's Code's* last revision took place in 1993. Viewing patterns have certainly become more dynamic since then. A thirteen-year-old arguably is no less sensitive, naive, or uncertain when navigating the realm of advertising. Nonetheless, however imperfectly, these regulatory texts aim to demonstrate the varying degrees of maturity between the child and teen demographic by asserting measurable boundaries. Discourse operates here, as instead of potentially eradicating the use of advertising practices on those under a certain age, it is instead the goal of these institutions to manage it, as if it were inevitable.

When *The Children's Code's* links their ideology to that of Nielsen's rating systems, there is a merging of ideological discourses that have been embedded across institutions, meant to support one another and reinstate the logics that serve each of them. Such discursive conventions imply an agreement amongst actors within the system, as its success requires a collective participation. Jérôme Bourdon and Cécile Méadel (2014) synthesize the use of rating systems amongst television by writing,

> there is nothing immediate about qualifying the public; it is the product of a series of compromises between multiple actors who have to make choices from among the different characteristics that matter for them …the audience-rating professionals are involved along with their clients, primarily the TV channels and their space brokers, their advertisers and their advertising agencies, in both the private and public sectors. (p.20)

Regulatory policies are able to assert power when these internal compromises are reflected in their texts. Schmidt (2008) emphasizes this connection by examining the role of ideas as substantive content within discourse. In terms of governance, Schmidt understands these ideas as existing at three separate levels: policies, programs, and philosophies, each of which can be further categorized into either cognitive or normative (p.303). Inflection points of these ideas form discourses that can be coordinative amongst policy actors, and also can be communicative as spreading these beliefs to the public. When agents within a specific institution are able to separate foreground discursive abilities from background ideational abilities, "logics of communication" are able to persist and form systems of power. *The Children's Code's* efforts to create an alignment between their defining characteristics of "viewing patterns" and that of other systems like the Nielsen Ratings, is the reinforcement of their inner discursive logic.

Rating systems for television are active in normalizing divisions for promotional purposes. Genres are a prime example of this kind of institutional organization. As articulated by Drotner (2013), "the middle-class norm of childhood comes to operate as a boundary space of genre, by which I mean that its normative demarcations of public and private, adult and child, girl and boy, play into a mapping of different genres" (p.18). Genres in and of themselves are the packaging of discourses and economic interests. *The Children's Code,* and other regulatory broadcasting documents across Canada exercise their control through deeply intertwining their frameworks of assessment within these same economic interests. Ang (1991) considers how audiences are treated as objects of discourse by major television institutions through the way they create, communicate, and arrange their programming. Ang attempts to shift attention back to the typical television viewer in her work to "develop forms of knowledge about television audience-hood that move away from those informed by the institutional point of view" (1991**,** p. 12). Through this work, Ang is identifying the power of our regulatory institutions. The institutional effort towards managing these televised audiences, in the case of children's advertising, is driven by the viewer being seen as an expression of the demands of profitability, as opposed to the needs of our culture (Strinati, 2004, p.229). *The Children's Code* is a complex exercise that embodies and articulates interpretations that function to avoid and erase certain realities.

The Children's Code distinctly defines various stages of childhood, and yet paradoxically, does not define advertising in the multiple ways in which it is exercised, in turn revealing subterranean beliefs and incentives about the nature of these practices. In section 1(c) *The Children's Code* defines "A Child Directed Message" as

> a commercial message on behalf of a product or service for which children are the only users or form a substantial part of the market as users, and the message (i.e. language, selling points, visuals) is presented in a manner that is directed primarily to children.
> (p.2)

This definition employed by ASC is broad enough that it is able to encompass most ways that advertisers try to attract the interest of child viewers, however, certain word choices do not align with *The Children's Code* supposed regulatory purpose. Products that may be of interest to an individual under the age of twelve years old might simultaneously not be considered a product that children are "the only users" of, nor may the advertisement present the strategy in a way that is "directed primarily to children." Product placement practices or brand integration techniques

are able to skirt this management. As children have purchasing power, media literacy, and unprecedented access to mixed media, they are not always targeted for conventionally childish products or services. Indeed, as described throughout the introductory chapter, children have historically been the target of industries that on the surface may not seem to be within their interests. In an effort to go beyond this distinction, the code writes in section 1(e) more broadly about a commercial message by writing it, "has the same meaning as that defined in the *Television Broadcasting Regulations, 1987*" (p.2). Under the *Television Broadcasting Regulations* of 1987, the policy describes a commercial message as an advertisement

> intended to sell or promote goods, services, natural resources or activities, including an advertisement that mentions or displays in a list of prizes the name of the person selling or promoting the goods, services, natural resources or activities, and that is broadcast in a break within a program or between programs; (*message publicitaire*). (para. 16)

The *Television Broadcasting Regulations* of 1987 further limits its definition of commercial messages as being within or between programs, which is relevant to the governance of product placement practices. When regulation does not apply to commercialism within the entertainment text itself, the policies are overlooking a huge element of present-day promotional culture. As Schmidt (2008) understood, communicative discourse between the public and political actors exist to construct the foreground of discursive abilities, which is built upon the mechanisms of hegemonic powers. It is worth noting that this regulation is also over thirty years old, hence reinforcing concerns of industry advancements not being reflected in policies. Modern OTT media services like Netflix or other streaming environments are not even contemplated or mentioned within these regulatory documents. In the same way *The Children's Code* is able to make reference to supplementary institutions or policies that address a recognized practice, and point the reader to the relevant resources, *The Children's Code* does not acknowledge the consumption of television's content or commercials to new platforms like the internet. Since the internet is understood and operates differently from broadcasting, it is organized and is applied differently by the CRTC and industry policies.

 As described in chapter three, institutional actors throughout the Canadian broadcasting policy realm focus on the food and beverage industry as being amongst the most significant issues tied to children's advertising. The emphasis placed on this realm of the industry points to larger discourses and perceptions of the child consumer, their interests, and economic factors. Section 11(a) of *The Children's Code* explains how ASC is concerned with upholding existing "social values" of society, whether that be standards established legally or morally. Section 11(b) of *The Children's Code* takes specific interest in how this correlates to health benefits. In a sub-section, meant to clarify and guide the interpretation of Section 11(b), *The Children's Code* clarifies the interpretative boundaries by explicating,

> Child-directed messages for food products in broadcast advertising that are inconsistent with the pertinent provisions of the Food and Drugs Act and Regulations, or the Canadian Food Inspection Agency's Guide to Food Labelling and Advertising shall be deemed to violate Clause 11 (Social Values) of the Children's Code. This Interpretation Guideline is intended, among other purposes, to ensure that advertisements representing mealtime clearly and adequately depict the role of the product within the framework of a balanced diet, and snack foods are clearly presented as such, not as substitutes for meals. *

(ii) Every "child-directed message" for a product or service should encourage responsible use of the advertised product or service with a view toward the healthy development of the child.**

iii) Advertising of food products should not discourage or disparage healthy lifestyle choices or the consumption of fruits or vegetables, or other foods recommended for increased consumption in Canada's Food Guide, and Health Canada's nutrition policies and recommendations applicable to children under 12.**

(iv) The amount of food product featured in a "child directed message" should not be excessive or more than would be reasonable to acquire, use or, where applicable, consume, by a person in the situation depicted.**

(v) If an advertisement depicts food being consumed by a person in the advertisement, or suggests that the food will be consumed, the quantity of food shown should not exceed the labelled serving size on the Nutrition Facts Panel (where no such serving size is applicable, the quantity of food shown should not exceed a single serving size that would be appropriate for consumption by a person of the age depicted)** (p. 3-4).

The document then clarifies that * refers to an update from April 2004, and ** refers to an update from September 2007. A note under the guidelines once again states that these points do not form part of *The Children's Code*, but instead are meant to provide interpretation as to food product advertising practices. The focus on children's consumption of unhealthy food or beverages as a result of advertising practices is warranted. Rising rates of obesity, children's sedentary nature while viewing, and children's natural curiosity that often influences family purchases can be linked back to our promotional culture. Nonetheless, it is noteworthy that the food and beverage industry is the only specified industry throughout the entire ASC document. Moreover, its inclusion is explicitly coupled with a section that outlines *The Children' Code's* interpretations of "Canada's social values," whose assertions are attaching construed discourses of moral panic towards children's food and beverage consumption. By focusing on this issue, and using it as a guiding principle, there is an erasure of worry for other kinds of products and services that are marketed by advertisers to children regularly. In the same way that *The Children's Code* creates age categories to devote certain safeguarding to children twelve-years-old and younger, it appears the same discursive emphasis separates the food and beverage industry. There is a constructed connection between an audience's age and the emphasis of "risk" for an industry's practices. These institutional frameworks rely on depictions of North American medicalized tropes that Kline (2016) describes.

In Section 11, *The Children's Code* also references a number of agencies that exist to directly regulate the food and beverage market. If this same degree of institutional protection existed for other industries that children express interest for, whether that be dolls or technologies, actors within the sector would likely create push back. Established discourses of promotional culture within children's advertising industry are exemplary of a conflation between politically-infused ideas versus truths, as it is evident children are interested in commodities beyond food and beverages. In *The Argumentative Turn in Policy Analysis,* Fischer and Forester (1993) ask "What if our language does not simply mirror or picture the world but instead profoundly shapes our view of it in the first place?" (p.1). The clear division between children's protection from the food and beverage industry compared to other kinds of advertising practices

illuminates central questions of truth and power in policy-making. Legitimacy is placed unto preferences, obligations, needs, and values, in turn creating language that creates a paradoxical discursive struggle. Indeed, the food and beverage industry is exemplary of the discursive struggle that policy-makers have chosen as problematized, over other political realities that are worthy of similar analysis.

5.3 *Annual Ad Complaints Report* (2009-2019)

The *Annual Ad Complaints Report* is a document that is annually published by ASC'S Children's Advertising Clearance Committee based on *The Consumer Complaints Procedure*. The report details yearly administrative findings, infractions, and any statements the panel wishes to convey on behalf of the institution regarding that year's notable children's advertising practices. As stated in the *The Children's Code* under Section 14(a), the assessment board that publishes this report, is made up of nine members. Of these nine individuals there is a chairperson, three public representatives, and one member that is nominated by each of the following: the CRTC, private broadcasters, the CBC, an advertiser, and an advertiser agency association (2015, p.4). The very fact that a panel is assessing public and industry complaints, meanwhile individuals from the committee are participants and have stake in the industry, communicates an issue about both the framework of operation, and expounds the difficulty of operating under a self-compliance basis. Inherently, these intertwined interests have effect on how the complaints are understood and decided upon.

Institutional actors directly influence how industry operates as they do not solely manage concerns, but also respond to complaints with action that have lasting effects. The complaint procedure can be organized under two categories. Those that submit on behalf of an entity, one of whom must be considered an "advertiser" by *The Children's Code,* is administered through ASC's *Advertising Dispute Procedure.* Alternatively, if an individual of the public wishes to submit a complaint and is not associated with any advertiser, the concern is administered through *The Consumer Complaint Procedure. The Children's Code* deems it necessary to separate the two purely due to the administrative demands placed on the Children's Advertising Clearance Committee. As ongoing disputes are handled, decided upon, and published with their conclusions, the report sub-categorizes the committee's results into three kinds of cases: identified, non-identified, and administratively resolved. Under the "identified cases" section, the report names the advertiser, the advertisement, and if the advertiser desires, their position on the case being upheld. Under "non-identified cases," both the advertiser and the advertisement are not named, as the advertiser was said to have taken voluntary action in rectifying the alleged infringement. Finally, "administratively resolved" cases are those where action did not need to be taken and information is not disclosed, since it is inferred that no real issue existed after the complaint was investigated. Once again, the advertisement and advertiser are not disclosed, as the panel has the discretionary right to not provide details or comments on the violation. As the success of the committee is so deeply intertwined with common industry practices and the participation of advertisers and their counterparts, it appears to not be in ASC's best interest to publish information about the alleged infringements, whether found valid or not, leaving the actual reports to be quite bare-boned. The information scarcity that exists within both these

reports, and ASC's *The Children's Code,* points to bureaucratic efforts to tightly bind perceptions and associations with the industry's practices. Anker (2007) reminds us that administrative networks operate through "the meanings, languages, and traditions that are at play within them" (p.232). Humans are not autonomous actors who are free from considering and calculating their own self-interest simply because they are intertwined with administrative systems. Indeed, these operational structures have embedded contingencies that shape and influence the modes of their democratic deliberation.

It is crucial to note that the *Annual Ad Complaints Report* published by ASC is reflective of all complaints that pertain to advertising targeting all demographics across Canada, not just those that are aimed at children. Although ASC has a separate policy for the children's sector (*The Children's Code*), as detailed in the aforementioned section, they do not have a published report dedicated to findings relating only to complaints for children's practices. Findings that come from the children's sector is equally assessed by the Children's Advertising Clearance Committee and remains included in the reports, but is only woven throughout the other content and not given its own section or document. Identical information found in these reports regarding claims placed against children's practices can also found on ASC's website, under a tab called "Complaints." Similar to the published reports, this tab has a grid that identifies whether the complaint was a non-identified, identified, or administrative case, and through a brief description they identify the description of the concern, and their decision. I note this differentiation between advertisers using *The Children's Code* as a point of compliance*,* and their compliance not subsequently published in a unique report, as it speaks to how authoritative addresses try to narrow the circulation of meanings associated with their institutional assertions, as it assists them in pursuing discursively informed instrumental goals. Not having a dedicated report to establish advertiser's compliance with *The Children's Code's* is a rhetorical gesture on behalf of ASC, for it discourages public knowledge of industry practices, in turn minimizing the public's civic role and engagement.

A significant jump of ASC complaints, across both children audiences and other demographics, took place between 2013 and 2017. In 2013, ASC received 1,286 complaints, 36% of which were consumer complaints "alleging inaccurate or misleading advertising" (See Appendix A). In 2017, the total number rose to 1,808 with most issues relating to Accuracy and Clarity (Clause 1), Price Claims (Clause 3) and Safety (Clause 10) (See Appendix B and C). In both 2013 and 2017, television advertisements reflected 40% of the cases brought forward (527 in 2013 and 716 in 2017), demonstrating that there was growth in issues deriving from other digital sources, outside of more traditional televised advertising models. After understanding the sheer number of ongoing concerns that the Children's Advertising Clearance Committee processes, it is startling to know that the 2013 *Ad Annual Complaints Report* published only one brand name that was associated with a grievance, and in 2017, only three brands were explicitly identified. Reports that publish details and ongoing processes of an institution are large contributors of the forming of public dialogue and awareness that circulates around a topic. For Hajer (1993) seeing these narratives that dominate society and create the conventional or rational mode of understanding practices within a political institution, is called discourse institutionalization (p.9). Through the process of monitoring and negligently describing the details of the complaints brought to the committee, whether that be detailing what constitutes an

example of Clause 10's "safety" violation, or how long a commercial was able to air before the advertiser complied by lifting it from airwaves, there is an active erasure of transparency and information to help sustain the system in place.

As for the compliance of product placement in specific, published results follow suit with vagueness communicated by *The Children's Code.* As product placement relies on the advertising being either surface-level or deeply embedded in the actual entertainment text itself, as opposed to the traditional model of advertising where it appears in the segments in between a program's clips, ASC ignores these strategies. *The Children's Code* details the various ways advertising may be creating unacceptable commercial messages, including "factual representation," "avoiding undue pressure," "scheduling," "promotion by program characters, advertiser-generated characters, and personal endorsements," "comparison claims," "price and purchase terms," or "safety." Clauses like these are meant to help control the child's viewing experience. Notably, however, product placement can take place with ease since it operates outside of these restraints, and hence are not published in the annual findings reports either. The term "product placement" does not appear once in the annual reports (from 2009-2019), nor does it include language that assesses or considers this kind of technique, even beyond the child audience. Our national broadcasting system is mediating "the normalization of the public sphere and the socialization of the private sphere" (Scannell, 1989, p.27-28). By regulating our domestic pleasures, policy-makers are able to create constructed images of a breadth of topics, which enters into the domestic sphere. The television, in essence, is what Scannell (1989) has called a mobilizer of ideologies. By ASC distinguishing certain aspects of advertising and not others, it is in effect, an unobtrusive way in which broadcasting is able to sustain discourses within their interests - whether that be economic, social, or other. Since *The Children's Code* creates categories that discursively muddle product placement practices from being reported on, and rarely detail their findings regarding those that allege "inaccurate or misleading advertising," it becomes more difficult to have productive conversations, or make policy decisions, that create dynamic change. This misinformation certainly compounds the uncertainty that policy-making is fraught with.

CHAPTER 6
CONCLUDING REMARKS

Language is recognized as a medium, a system of signification through which actors not simply describe but create the world. (Hajer, 1993, p.44)

6.1 Models of comparison

In *Evaluating Public Policy* (1995), Frank Fischer presents a four-level logic of intersecting discourses that he applies as a multi-methodological scheme when evaluating policy. This scheme allows for the researcher to move from concrete inquiries regarding a program's efficiencies and effectiveness towards an assessment of the implications on societal systems and ways of experiencing such policy. Fischer elaborates upon his framework by describing how his questions range from whether a policy program works, whether or not it is relevant to the particular situation to which it is to be applied, and how it fits into the structure and process of the existing society system to a critique of this system. For Fischer, a critique of the system considers how basic normative ideals of a given society do or do not under-grid particular interests. Understanding Canada's existing policy structures in comparison to both Britain and the United States supports an understanding of what "works" within Canada's national regulation, and how certain limitations are a result of hegemonic structures.

Under the CRTC's "TV and Radio Advertising Basics" section, it states under a subtitled "limits to advertising time" that there is a maximum of twelve minutes of national advertising every hour for mainstream sports services, discretionary services, or national news. However, these limitations do not apply to commercial radios stations, television stations, or CBC radio networks. Underneath the listed regulations, the CRTC states that for those that the twelve minute cap does apply, this does not include "the promotion of Canadian programs, public service announcements, politics ads, product placements within a TV program and virtual ads" (CRTC, 2019, para. 2). If an advertisement is "superimposed over a program" it would also not be considered a part of the twelve-minute limit imposed by the CRTC. These regulatory limitations were established in 2012 when the CRTC redefined what they considered a "commercial message." Within the newly adopted definition of a "commercial message," the CRTC further clarified that they do not govern any broadcasted advertisement, with two exceptions: if the advertisement is geared towards children, or if it is for alcohol. Quebec is the only province or territory in Canada that prohibits commercial advertising aimed at those younger than thirteen years old, which is governed by the Office de la protection du consommateur.

Regulatory limitations in the British mediascape are more explicit for product placement practices. According to Britain's Ofcom code (2019), if a UK program contains brand integration due to financial exchange, the channel must show "a special logo" that indicates to the viewer that the introduction is based on a paid agreement. In order for the viewer to have complete awareness of this logo, Ofcom obligates the broadcaster to air the logo three separate times: at the beginning of the program, after any advertising segment while the program airs, and at the

end of the program. Unfortunately, Ofcom has placed contingencies on the application of this rule. If a program is aired and it is originally from a different market, for example a Canadian drama series that is broadcasted to a UK channel, the product placement logo is not mandatory. As for Britain's governance of children's advertising practices, the UK appears to take a similar approach to Canada, in that it relies on both a self-regulation and co-regulation system. However, the British regulatory model defines a child to be an individual under sixteen years of age, which is an extension beyond the definition of a Canadian child audience (2019, p.54). This distinction helps strengthen regulatory efforts. Discourses of hyper-diligence surrounding the food and beverage industry also extend to the British market, as Ofcom places tight bans on advertising HFSS products to children (those that are high in fat, salt or sugar).

      The FCC, the American regulator for advertising across the United States, published a report in 1974 titled *Children's Television Report and Policy Statement,* which on the surface, appeared to disallow product placement in programs for individuals twelve years or younger. Although the ban did not use the term "product placement" explicitly, it expressed concern regarding programs' failure to create clear separations between advertisements and children's content. Upon further investigation, however, the product placement "ban" did not include the elimination of mentioning branded names in a program's dialogue. The FCC policy also explicitly stated that the limitation did not apply to programs that were originally produced for a general audience, but nevertheless are significantly viewed by children. When Commercial Alert, a consumer advocacy and non-profit organization that opposes children's advertising probed an investigation into this flexible regulation, the request was denied. Evidently, attempts to monitor product placement strategies within children's content in the United States is purposefully lackadaisical, as this haphazard effort to regulate the industry remains in place to date.

      The CAB website currently maintains that the regulations placed on Canadian marketing and advertising regimes are amongst the best in the world, as they are comprehensive and create a degree of accountability that are not reflected in other national markets. Although this may be true for certain practices, it does not seem accurate for product placement techniques. Product placement appears to be a powerful marketing approach that has yet to be fully understood and integrated into governing structures across the world. The emphasis placed on regulating the food and beverage industry, in Canada and other countries, demonstrates that the endeavour for stricter policy is entirely possible, it is just a process of governing bodies overcoming financial interests and powerful actors. As children's viewing habits have began to shift towards consuming OTT media services in tandem with traditional television, governing structures ought to reflect these viewing behaviours as well.

6.2 Recommendations and reflections

      Television programming has the power to produce a performative language that is expressed in our everyday interactions. As noted by Dorothy Holland, William Lachicotte Jr., Debra Skinner, and Carole Cain (1998) figured worlds are a socially and culturally constructed realm of interpretation "in which particular characters and actors are recognized, significance is assigned to certain acts, and particular outcomes are valued over others" (p.52). Holland et al.'s assertions compel a critical assessment of existing systems of governance and policy-formation,

and moreover, provide a lens to consider where possible improvements might be made in existing national regulation of children's product placement practices, for they are certainly brought into existence within Canadian culture.

In terms of media consumption, both the symbolic and material resources required for our consumer culture are emblematic of the ongoing negotiations of both space and power (Morley, 1992). Suffice to say, our notions of these factors must shift completely when we reconsider streaming services as within the scope. Popular culture is built upon producing industries that are fit for commercial desires, and consequently plays a crucial part in shaping what is built into the production and consumption process (Ang, 1991, p.244). I believe it is incumbent on our regulatory institutions to reflect these realities in their frameworks of assessment.

Moreover, I believe that not having a dedicated report to establish advertiser's compliance with *The Children's Code's* is a rhetorical gesture on behalf of ASC, for it discourages public knowledge of industry practices, in turn minimizing the public's civic role and engagement. I assert that doing so reveals subterranean societal relations that form the industry. Raboy and Shtern (2010) write that it is the state's duty to bear the responsibility for ensuring communication processes reinforce the needs of a society, which, arguably, is not currently reflected in our children's hypercommercialized media environment (p. 38). If policies do not fully reinforce the needs of a society, which is bound to be the case for the many challenges within policy-making, then I argue these institutions ought to encourage deeper degrees of transparency and a commitment to open-communication with the public. A crucial way that regulatory institutions are able to do so relates to their publishing of both findings and internal processes. Dedicating a report solely for children's findings would be beneficial to public knowledge and public trust in the Canadian regulatory system. More simply, it would also make more logistical sense, that with separate industry codes should also come separate published materials.

I also recognize it appears in many respects that Canadian media policies are collaborative, which on the surface would guarantee a broader representation of societal and systemic issues arising from the country's communication services. Instead it seems, as articulated by Lorimer and McNulty (1996), that more than other countries, Canada has encouraged "participation from industry representatives and the general public in the development of broadcasting policy," and, in the midst, has lost the strict sense that emerging advertising practices require scrutiny and substantive policy oversight in order for viewers to be adequately protected (p.168). Through the creation of this self-regulatory framework, led by recommended guidelines and less so government laws, the result is emblematic of an issue that Lisosky (2001) describes. When Lisosky considered whether a global standard for children's advertising governance would be feasible, she assessed whether self-regulatory models were in place and whether market forces influenced decision-making over time. I make this connection to say there is a balance between what I describe earlier, that is, transparency and accountability to the public, versus having competing market interests participate in policy-formation. I believe as with any successful bureaucracy, there is a careful balance of differing needs and perspectives, which may result in harmony if less industry actors with vested interests are participating.

Culture and the products it creates have become subjected to the concept of purpose and thus brought under a single false denominator. Reception becomes the totality of the culture

industry, as brands seek ways to create a pleasurable viewing experience, imagined communities, and a submission to the negotiated meanings that are communicated. Our collectively understood universal truths have led us to this culture of consumption, one that is dictated and regulated with financial incentives in mind. I conclude this thesis by returning to the CRTC funded report *Canada's Communications Future: Time to Act* (2020) and the budgetary plans of the CRTC. The Honourable Navdeep Bains, Minister of Innovation, Science and Industry, and the Honourable Steven Guillbeault, Minister of Canadian Heritage, directly supervise the CRTC's operations. According to the CRTC's current fiscal year departmental plan (2019-2020), the Commission plans to spend, under the supervision of both Bains and Guillbeault, $74.1 million in regulating Canada's communications systems in the 2020 calendar year. This astounding amount of money is meant to support the encouragement of Canadian content creation, and moreover, to improve the Canadian communication services experience (whether that be issues pertaining to speed, service, pricing) (Canadian Radio-television and Telecommunications Commission, 2019). I argue this budget certainly gives the CRTC the financial resources to evaluate how the nation's communication sectors participate in existing consumer rights issues, and to move forward with institutional changes that would improve the existing product placement regulation.

INTRODUCTION

At Advertising Standards Canada (ASC) we recognize that an effective consumer response mechanism is essential to maintaining public confidence in advertising. Through ASC's *Consumer Complaint Procedure*, we accept and respond to consumers' complaints about advertising appearing in the Canadian media.

Reporting on complaints upheld by ASC's independent Standards Councils (Councils) is an important part of the process. The Complaint Case Summaries provide invaluable learning for both the advertising industry and the public regarding how Councils interpret and apply the *Canadian Code of Advertising Standards (Code)*.
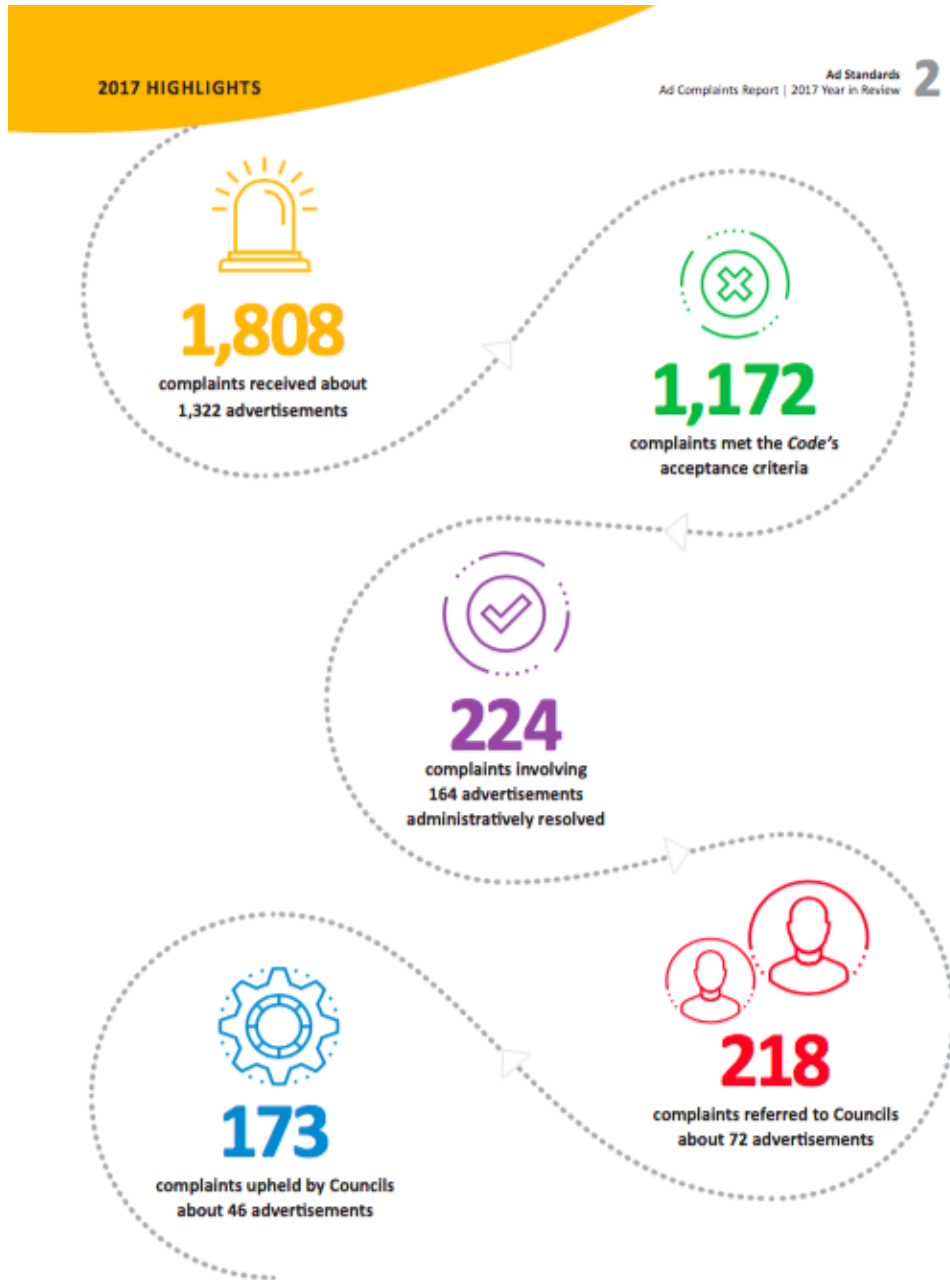
This 2013 Ad Complaints Report provides an account of the number of consumer complaints received and investigated over the past year, information about the types of complaints upheld, and insights regarding consumer concerns in 2013.

2013 HIGHLIGHTS

- ASC received a total of 1,286 consumer complaints regarding 1075 advertisements.

- Councils reviewed 100 complaints that raised issues under the *Canadian Code of Advertising Standards*.

- A total of 79 complaints about 50 advertisements were upheld by Councils.

- ASC staff administratively resolved 45 complaints involving 45 advertisements.

- Consumers' complaints alleging inaccurate or misleading advertising represented 36% per cent of all complaints.

- Retail advertising garnered the highest number of complaints – 178.

Source: Advertising Standards Canada. (2013). *Ad Complaints Report - 2013 Year in Review.*

APPENDIX B

2017 HIGHLIGHTS

1,808
complaints received about
1,322 advertisements

1,172
complaints met the *Code's*
acceptance criteria

224
complaints involving
164 advertisements
administratively resolved

218
complaints referred to Councils
about 72 advertisements

173
complaints upheld by Councils
about 46 advertisements

Source: Advertising Standards Canada. (2017). *Ad Complaints Report - 2017 Year in Review.*

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Clause 1 (Accuracy and Clarity) and Clause 3 (Price Claims)

In 2017, Ad Standards reviewed 767 complaints (concerning 560 advertisements) alleging misleading or inaccurate advertising (Clauses 1 and/or 3).

Ultimately, Councils upheld 156 complaints about 37 advertisements.

These involved advertisements that omitted relevant information, did not clearly state all pertinent details of an offer, and contained unsubstantiated claims.
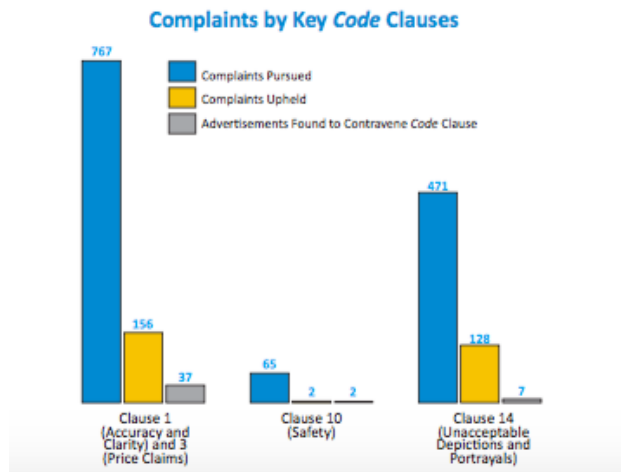
Clause 10 (Safety)

A total of 65 complaints about 43 advertisements involved safety concerns, and two were upheld by Councils about two advertisements.

Clause 14 (Unacceptable Depictions and Portrayals)

Most complaints evaluated under Clause 14 involve subjective matters of personal taste or preference and do not ultimately raise issues under the *Code*.

471 complaints about 256 advertisements were reviewed under Clause 14. Of these, Councils adjudicated and upheld 128 complaints about seven advertisements. The balance did not meet the threshold to raise issues under this clause.

Complaints by Key *Code* Clauses

Legend:
- Complaints Pursued
- Complaints Upheld
- Advertisements Found to Contravene Code Clause

Clause	Complaints Pursued	Complaints Upheld	Advertisements Found to Contravene Code Clause
Clause 1 (Accuracy and Clarity) and 3 (Price Claims)	767	156	37
Clause 10 (Safety)	65	2	2
Clause 14 (Unacceptable Depictions and Portrayals)	471	128	7

Source: Advertising Standards Canada. (2017). *Ad Complaints Report - 2017 Year in Review.*

References

Adorno, T. W. (1991). *The culture industry: Selected essays on mass culture*. London: Routledge.

Adorno, T., and Horkheimer, M. (1944). The Culture Industry: Enlightenment as Mass Deception. In *Dialectics of Enlightenment* (pp. 120-167). New York: Herder and Herder.

Advertisers can digitally add product placements in TV and movies - Tailored to your digital footprint | CBC Radio. (2020, January 31). Retrieved from https://www.cbc.ca/radio/thecurrent/the-current-for-jan-31-2020-1.5447280/advertisers-can-digitally-add-product-placements-in-tv-and-movies-tailored-to-your-digital-footprint-1.5447284

Advertising Age. (2003, September 15). Advertising in Canada. Retrieved from https://adage.com/node/1562226/printable/print

Advertising Standards Canada. (2013). *Ad Complaints Report - 2013 Year in Review.*

Advertising Standards Canada. (2015). *The Broadcasting Code for Advertising to Children.*

Advertising Standards Canada. (2017). *Ad Complaints Report - 2017 Year in Review.*

Advertising Standards Canada. (2020). Retrieved from https://adstandards.ca/

Ad Standards Consumer Complaint. (2020). Retrieved from https://adstandards.ca/complaints/how-to-submit-a-complaint/

Alexander, A., Benjamin, L., Hoerrner, K., and Roe, D. (1998). "We'll be back in a moment": Evolution of children's television advertisements in the 1950s. *Journal of Advertising*, *27*(3), 1-10.

Alexander, A., and Hoerrner, K. (2006). Children's advertising. In J. Cement (Ed.), *Social issues: An encyclopedia of social issues, histories, and debates,* (pp. 27-44). Armonk, NY: M. E. Sharpe.

Alexander, A., and Hoerrner, K. (2018). How does the U.S. government regulate children's media? In S. Mazzarella (Eds.), *20 questions about youth & the media*. Bern, Switzerland: Peter Lang US.

Allen, R. C. (1987). *Channels of discourse: Television and contemporary criticism*. Chapel Hill: University of North Carolina Press.

Allen, G., and Robinson, D. (Eds.). (2009). *Communicating in Canada's past: Essays in media history*. Toronto: University of Toronto Press.

Althusser, L. (1970). "Ideology and ideological state apparatuses (Notes towards an investigation)." *In Lenin and philosophy and other essays,* pp. 142–7, 166–76. New York and London: Monthly Review Press.

American Academy of Pediatrics. (2011). Policy statement—children adolescents, obesity, and the media. *Pediatrics*, 128(1), 201–8.

Ang, I. (1991). *Desperately seeking the audience.* London: Routledge.

Anker, E. (2007). Discourse. In M. Bevir (Ed.), *Encyclopedia of governance* (Vol. 1, pp. 232-232). Thousand Oaks, CA: SAGE Publications, Inc.

Appadurai, A. (1986). *The social life of things: Commodities in cultural perspective*. Cambridge: Cambridge University Press.

Ariès, P. (1962). *Centuries of childhood*. New York: Alfred A. Knoff, Random House.

Armstrong, R. (2016). *Broadcasting policy in Canada* (Second). Toronto: University of Toronto Press.

Arsenault, A. (2012). The structure and dynamics of communications business networks in an era of convergence: Mapping the global networks of the information business. *The political economies of media: The transformation of the global media industries*, 101–120.

Asquith, K. (2012). Hypercommercialism and Canadian children's television: The case of YTV. In *Canadian television: Text and context*. Waterloo: Wilfrid Laurier University Press.

Beaudrillard, J. (1993). *The transparency of evil: Essays on extreme phenomena*. London: Verso.

Bond, B.J., Richards, M.N. and Calvert, S.L. (2013). Media and obesity. In D. Lemish (Eds.), *Routledge international handbook of children* (pp.232-239). London and New York: Routledge Handbooks Online.

Bourdon, J., and Méadel, C. (2014). Deconstructing the ratings machine: An introduction. In *Television audiences across the world*. London: Palgrave Macmillan.

Brandow-Faller, M. (2018). *Childhood by design: Toys and the material culture of childhood, 1700-Present*. New York: Bloomsbury Visual Arts.

Bredin, M., Henderson, S., and Matheson, S.A. (2012). *Canadian television: Text and context*. Waterloo: Wilfrid Laurier University Press.

Brown, W. and Halley, J. (2002). Introduction. In W. Brown & J. Halley (Eds.), *Left legalism/ Left critique*. (pp. 1-37). Durham and London: Duke University Press.

Bryant, J. A. (2007). Understanding the children's television community from an organizational network perspective. In J. A. Bryant (Ed.), *The children's television community*. Mahwah: Lawrence Erlbaum, pp. 35–55.

Buckingham, D. (2000). *The making of citizens: Young people, news and politics.* London and New York: Routledge.

Buckingham, D. (2013). Constructing children as consumers. In D. Lemish (Eds.), *Routledge international handbook of children* (pp.54-60). London and New York: Routledge Handbooks Online.

Budd, M., Craig, S., and Steinman, C. (1999). *Consuming environments: Television and commercial culture*. New Brunswick, NJ: Rutgers University Press.

Bullock, G. (2018). How to counteract consumer product misinformation. In *Misinformation and mass audiences* (1st ed., pp. 212–231). Austin: University of Texas Press.

Caldwell, J. (2004). Convergence television: Aggregating form and repurposing content in the culture of conglomeration. In *Television after TV: Essays on a medium in transition* (pp. 41–74). London: Duke University Press.

Calvert, S. L. (2008). Children as consumers: Advertising and marketing. *The future of children*, *18*(1), 205–25.

Campbell, A. (2006). Restricting the marketing of junk food to children by product placement and character selling. *Loyola of Los Angeles law review, 39*(1).

Canadian Association of Broadcasters. (2006). *Advertising to Children in Canada: A Reference Guide.*

Canadian Association of Broadcasters. (2020). About the CAB. Retrieved from https://cab-acr.ca/english/about/default.shtm

Canadian Broadcast Standards Council. (2020). Make a Complaint. Retrieved from

https://www.cbsc.ca/make-a-complaint/

Canadian Radio-television and Telecommunications Commission. (1978). Attitudes of Canadians toward advertising on television. Retrieved from https://crtc.gc.ca/eng/library/Detail/catalog175

Canadian Radio-Television and Telecommunications Commission. (1993). Proposed amendments to the Cable Television Regulations, 1986 and to the Television Broadcasting Regulations, 1987. Ottawa: CRTC.

Canadian Radio-television and Telecommunications Commission, Group-based licence renewals for English-language television groups - Introductory decision. (2011). *Broadcasting Decision CRTC 2011-441*. Ottawa.

Canadian Radio-television and Telecommunications Commission. (2017). Canadian Broadcasting Policy at Issue: From Marconi to Netflix. Retrieved from https://crtc.gc.ca/eng/acrtc/prx/2017claus.htm

Canadian Heritage. (2018, August 17). Government of Canada Launches Review of Telecommunications and Broadcasting Acts. Retrieved from https://www.canada.ca/en/canadian-heritage/news/2018/06/government-of-canada-launches-review-of-telecommunications-and-broadcasting-acts.html

Canadian Radio-television and Telecommunications Commission, Telecom Notice of Consultation 2017-49. (2018). *Telecom Regulatory Policy CRTC 2018-123*. Ottawa.

Canadian Radio and Telecommunications Commission. (2019, February 27). Communications Monitoring Report 2018. Retrieved from https://crtc.gc.ca/eng/publications/reports/policymonitoring/2018/cmr4c.htm

Canadian Radio-television and Telecommunications Commission (CRTC) Government of Canada. (2019, April 05). TV and Radio Advertising Basics. Retrieved from https://crtc.gc.ca/eng/television/publicit/publicit.htm

Canadian Radio-television and Telecommunications Commission. (2020). *Canada's Communications Future: Time to Act.* Retrieved from https://www.ic.gc.ca/eic/site/110.nsf/vwapj/BTLR_EngV3.pdf/$file/BTLR_Eng-V3.pdf.

Carey, J. ([1989]1992). A cultural approach to communication. In J. Carey, *Communication as culture: Essays on media and society*. New York: Routledge, pp. 13–36.

Caron, A., and Cohen, R. I. (2013). *Regulating screens: Issues in broadcasting and internet governance for children*. Montréal: McGill-Queen's Press.

Caron, A., Hwang, J., and McPhedran, E. (2012, March 26). *Are the kids all right? Canadian families and television in the digital age* (Rep.). Retrieved http://www.cmf-fmc.ca/documents/files/about/publications/Are_the_Kids_all_right.pdf

Caron, A. H., and Jolicoeur, A. E. (1996). *Systemized summary of Canadian regulations concerning children and the audiovisual industry*. Montréal: Centre de recherche en droit public, Université de Montréal.

Carpendale, S. (2008). Evaluating information visualizations. In: Kerren A., Stasko J.T., Fekete JD., North C. (eds) Information visualization. Lecture Notes in Computer Science, vol 4950. Springer, Berlin, Heidelberg.

Casimir, J. (2004, January 17). And now…A Microsoft word from our sponsors. Retrieved from http://www.lexisnexis.com

Cohen, L. (2003). *A consumers' republic: The politics of mass consumption in postwar America.* New York: Alfred A. Knopf.

Cohen, S. (1972). *Folk Devils and Moral Panics: The Creation of the Mods and Rockers.* London: McGibbon and Kee.

Condry, J. (1989). *The psychology of television.* Hillsdale, NJ: Erlbaum.

Cottle, S. (2003). Producing nature(s): The changing production ecology of natural history TV. In S. Cottle (Ed.), *Media organization and production.* London: Sage.

Cook, D.T. (2010). Commercial enculturation: Moving beyond consumer socialization. In D. Buckingham and V. Tingstad (Eds), *Childhood and consumer culture.* London: Palgrave

Corner, J. (1999). *Critical ideas in television studies.* Oxford, England: Clarendon Press.

Coulter, N. (2016). "Missed opportunity": The oversight of Canadian children's media. *Canadian Journal of Communication, 41*(1).

Culler, J. D. (2011). *The pursuit of signs: Semiotics, literature, deconstruction.* London: Routledge.

Cunningham, H. (1995). *Children and childhood in Western society since 1500.* London: Longman.

Cunningham, S. (2003). Cultural studies from the viewpoint of cultural policy. *Critical Cultural Policy Studies*, 13–22.

Curran, J., Morley, D., and Walkerdine, V. (1996). *Cultural studies and communications.* London: Edward Arnold.

Dahl, H. F. (1994). The pursuit of media history. *Media, culture & society*, *16*(4), 551–563.

D'Arma A., and Steemers J. (2013). Children's television: Markets and regulation. In: Donders K., Pauwels C., Loisen J. (eds) Private television in Western Europe. Palgrave Global Media Policy and Business. Palgrave Macmillan, London.

Davies, M. M. (2010). *Children, media and culture.* Berkshire: McGraw-Hill Education.

De Saussure, F. (1967). *Cours de Linguistique Générale.* Paris: Payot.

Dijk, T. A. van. (1985). *Handbook of discourse analysis.* London: Academic Press.

Donald, J. (1992). How English is it? Popular literature and national culture. In *Sentimental Education: Schooling, Popular Culture, and the Regulation of Liberty.* London: Verso.

Drotner, K. (2013). The Co-construction of media and childhood. In D. Lemish (Eds.), *Routledge international handbook of children* (pp.15-22). London and New York: Routledge Handbooks.

Ekström, K. (2006). Consumer socialization revisited. In R.W. Belk (Ed.), *Research in consumer behavior, Volume 10.* Oxford: Elsevier, pp. 71–98.

Elliott, C. (2009). Healthy Food Looks Serious: How Children Interpret Packaged Food Products. *Canadian Journal of Communication, 34*(3), 359-380.

Elliott, C. (2016). *How Canadians communicate VI: Food promotion, consumption, and controversy.* Edmonton: Athabasca University Press.

Elliott, C. (2020). From fun to fraught: Marketing to kids and regulating "risky foods" in Canada. *The Senses and Society, 15*(1), 41-53.

eMarketer Report. (2018). Canada's digital ad spending 2018. Retrieved from https://www.emarketer.com/content/canada-digital-ad-spending-2018

Engelhardt, T. (1986). The shortcake strategy. In *Watching Television* (pp.68-110). New York:

Pantheon.

Engle, M. K. (2005). United States of America - Federal Trade Commission - Commercial Alert [Letter written February 10, 2005 to Gary Ruskin]. Retrieved from https://www.ftc.gov/ system/files/documents/advisory_opinions/letter-commercial-alert-applying-commission-policy-determine-case-case-basis-whether particular/050210productplacemen.pdf

Fairclough, N. (1993). Critical discourse analysis and the marketization of public discourse. In *Discourse & Society*, *4*(2), 133–168.

Federal Communications Commission. (1996, August 8). Policies and Rules Concerning Children's Television Programming. Retrieved from https://transition.fcc.gov/Bureaus/Mass_Media/Orders/1996/fcc96335.htm

Fischer, F. (1995). *Evaluating public policy*. Chicago: Nelson-Hall.

Fischer, F., and Forester, J. (1993). *The argumentative turn in policy analysis* (2nd ed.). Durham and London: Duke University Press.

Fischer, F., Torgerson, D., Durnová, A., and Orsini, M. (2015). *Handbook of critical policy studies*. Cheltenham, UK: Edward Elgar Publishing.

Fitzgerald, S. W. (2012). *Corporations and cultural industries: Time Warner, Bertelsmann, and News Corporation*. Lanham, MD: Lexington Books.

Food and Beverage Marketing to Children (Rep.). (2008). Retrieved https://www.toronto.ca/ legdocs/mmis/2008/hl/bgrd/backgroundfile-11151.pdf

Foster, J. B., and McChesney, R. W. (2003). The commercial tidal wave. *Monthly Review*, *54*(10), 1.

Foucault, M. (1969). *The Archeology of knowledge*. Paris: Éditions Gallimard.

Foucault, M. (1970, December). *The order of discourse - Inaugural Lecture*. Paris: Gallimard.

Foucault, M. (1972). *The archaeology of knowledge.* New York: Pantheon Books.

Foucault, M. (1979). *Discipline and punish: The birth of the prison*. (Trans A.Sheridan). New York: Vintage Books.

Foucault, M. (1980). *Power/Knowledge selected interviews and other writings 1972-1977*. New York, NY: Pantheon Book.

Foucault, M. (1990). *The history of sexuality: Volume 1*. New York: Vintage Books.

Foucault, M. (1991). 'Governmentality', trans. Rosi Braidotti and revised by Colin Gordon, in Graham Burchell, Colin Gordon and Peter Miller (eds) *The Foucault effect: Studies in governmentality*, pp. 87–104. Chicago, IL: University of Chicago Press.

Garnham, N. (2000). *Emancipation, the media, and modernity: Arguments about the media and social theory*. Oxford: Oxford University Press.

Gateway, Nickelodeon brand PCs with cartoons. (2002, January 3). Retrieved from https://www.cnet.com/news/gateway-nickelodeon-brand-pcs-with-cartoons/

Geertz, C. (1973). *The interpretation of cultures - Selected essays*. New York City, New York: Basic Books, Inc., Publishers.

Ginosar, A., and Levi-Faur, D. (2010). Regulating product placement in the European Union and Canada: Explaining regime change and diversity. *Journal of comparative policy analysis: Research and practice*, *12*(5), 467–490.

Gitelman, L. (2006). *Always already new: Media, history, and the data of culture*. London: MIT Press.

Glasner, E. (2020, January 29). Independent panel report calls for more Canadian streaming content and an ad-free CBC | CBC News. Retrieved from https://www.cbc.ca/news/entertainment/broadcasting-telecommunications-report-netflix-cbc-1.5443478

Global Product Placement Forecast 2020 (PQ Media). (2020, January 10). Retrieved https://www.pqmedia.com/product/global-product-placement-forecast-2020/

Golding, P., and Murdock, G. (1991). Culture, communications and political economy, in J. Curran and M. Gurevitch (eds), *Mass media and society.* London: Edward Arnold.

Graefe, P. (2006). The social economy and the American model relating new social policy directions to the old. *Global Social Policy*, *6*(2), 197–219.

Gramsci, A. (1971). "Introduction". In Hoare, Quentin; Smith, Geoffrey Nowell (eds.). *Selectionsfrom the prison notebooks*. New York: International Publishers.

Gunter, B., and McAleer, J. (1997). *Children and television*. London: Routledge.

Hajer, M. (1993). Discourse coalitions in practice: The case of acid rain in Great Britain, *The argumentation turn in policy analysis and planning,* edited by Frank Fischer and John Forester, Durham, NC: Duke University Press.

Hardy, J. (2014). *Critical political economy of the media*. New York: Routledge.

Hasebrink, U. and Paus-Hasebrink, I. (2013) Trends in children's consumption of media. In D. Lemish (Eds.), *Routledge international handbook of children* (pp.31-38). Routledge Handbooks Online.

Hasebrink, U. and Popp, J. (2006). Media repertoires as a result of selective media use: A conceptual approach to the analysis of patterns of exposure. *Communications*, 31(3), 369–87.

Hastings, G., Stead, M., McDermot, L., Forsyth, A., MacKintosh, A. M., Rayner, M., Godfrey, C., Caraher, M. and Angus, K. (2003). *Review of research on the effects of food promotion to children*. Glasgow, UK: Centre for Social Marketing.

Hawkesworth, M. (1994). Policy studies within a feminist frame. *Policy Sciences*, *27*(2-3), 97–118.

Health Canada. (2017, December). *Consultation Report: Restricting Marketing of Unhealthy Food and Beverages to Children in Canada* (Rep.). Retrieved https://www.canada.ca/content/dam/hc-sc/documents/services/publications/food-nutrition/restricting-marketing-to-kids/consultation-report-eng.pdf

Hensley, J., and Snyder, J. (2018). Dimensions of visual misinformation in the emerging media landscape. In *Misinformation and mass audiences* (1st ed., pp. 91–109). Austin: University of Texas Press.

Hernandez, G. (2005, April 23). Product placement soars. Retrieved from http://www.dailynews.com/Stories/0,1413,200~20950~2788830,00.html

Hilgartner, S. (1992). The Social Construction of Risk Objects: Or, How to Pry Open Networks of Risk. In *Organizations, Uncertainties, and Risk* (pp. 39-53). Boulder: Westview Press.

Holland, P. (2004) *Picturing childhood: The myth of the child in popular imagery*. London, New York: I.B. Tauris.

Holland, D., Cain, C., Lachicotte Jr., W., and Skinner, D. (1998). *Identity and agency in cultural worlds*. Cambridge, MA: Harvard University Press.

Hornick, L. (2006). *The evolution of product placement: Consumer awareness and ethical*

considerations (Unpublished doctoral dissertation). West Virginia University. Retrieved from https://researchrepository.wvu.edu/cgi/viewcontent.cgi?article=4236&context=etd

Howarth, D. (2010). Power, discourse, and policy: Articulating a hegemony approach to critical policy studies. *Critical Policy Studies, 3*(3-4), 309-335.

Howarth, D., Glynos, J., and Griggs, S. (2016). Discourse, explanation and critique. *Critical Policy Studies, 1*(10), 99-104.

Ingram, H., and Schneider, A. (2015). Making distinctions: The social construction of target populations. In *Handbook of critical policy studies* (pp. 259-273). Cheltenham, UK: Edward Elgar Publishing.

Institute of Medicine. (2006). *Food marketing to children and youth: Threat or opportunity?* Washington, D.C.: The National Academies Press.

Jacka, E. (1988). Australian cinema - An anachronism in the '80s? The imaginary industry: Australian film in the late '80s. *Australian Film, Television and Radio School*, 118.

Jacobson, L. (2004). *Raising consumers: Children and the American mass market in the early twentieth century*. New York: Columbia University Press.

James, A., and Prout, A. ([1997] 2005). *Constructing and reconstructing childhood*. London: Falmer Press.

Janssen, L., Fransen, M. L., Wulff, R., and Reijmersdal, E. A. V. (2016). Brand placement disclosure effects on persuasion: The moderating role of consumer self-control. *Journal of Consumer Behaviour*, *15*(6), 503–515.

Jaramillo, D. L. (2018). *The television code: Regulating the screen to safeguard the industry*. Austin: University of Texas Press.

Jessop, B. (2004). Critical semiotic analysis and cultural political economy. *Critical discourse studies, 1*(2), 159-174.

Jessop, B. (2009). Cultural political economy and critical policy studies. *Critical policy studies, 3*(3-4), 336-356.

Jessop, B. (2012). Economic and ecological crises: Green new deals and no-growth economies. *Development, 55*(1), 17-24.

Kay, J. (2020, January 31). The federal government's unsettling communications power grab. Retrieved from https://nationalpost.com/opinion/jonathan-kay-the-federal-governments-unsettling-communications-power-grab

Kinder, M. (1991). *Playing with power in movies, television, and video games: From Muppet babies to Teenage Mutant Ninja Turtles*. Berkeley, CA: University of California Press.

Kline, S. (1993). *Out of the garden: Toys, TV, and children's culture in the age of marketing*. London: Verso.

Kline, S. (2016). Canaries in the Supermarket: Moral Panic, Food Marketing and Children's Eating. In C. Elliott (Eds.), *How Canadians Communicate VI: Food Promotion, Consumption, and Controversy*. Athabasca University Press.

Kress, G. (1985). Ideological structures in discourse, in *Handbook of Discourse Analysis,* edited by Teun Van Dijk, London: Academic Press.

Krotz, F. (2009). Mediatization: A concept to grasp media and societal change. In K. Lundby (Ed.), *Mediatization: Concept, changes, conflicts*. New York City, NY: Peter Lang.

Kunkel, D., and Wilcox, B. (2001). Children and media policy. In D.S. Singer & J.L. Singer

(Eds), *Handbook of children and the media* (pp.589-604). Thousand Oaks, CA: Sage.

Lapierre, M. A., Vaala, S. E. and Linebarger, D. L. (2011). Influence of licensed spokescharacters and health cues on children's ratings of cereal taste. *Archives of Pediatric & Adolescent Medicine, 165*(3), 229–34.

Larson, M. (2001, August 13). Kids anticlimax: Upfront is a dud. *Mediaweek*, 4.

Laurendeau, H., and Marquez, A. (2010, July 8). *Ce que le marketing veut faire avaler aux enfants* (Rep.). Retrieved http://www.ricardocuisine.com/rubriques-et-conseils/bien-se-nourrir/76-ce-que-lemarketing-veut-faire-avaler-aux-enfants

Leibowitz, J., Rosch, J. T., Ramirez, E., Brill, J., & Ohlhausen, M. (2012, December). *A Review of Food Marketing to Children and Adolescents - Follow-up Report* (Rep.). Retrieved https://www.ftc.gov/sites/default/files/documents/reports/review-food-marketing-children-and-adolescents-follow-report/121221foodmarketingreport.pdf

Leiss, W., Kline, S., and Jhally, S. (1986). *Social communication in advertising: Persons, products, and images of well-being*. North Yorkshire: Methuen Publications.

Lemish, D. (2013). *The routledge international handbook of children, adolescents and media*. Routledge.

Lewis, J., and Miller, T. (2003). *Critical cultural policy studies A reader*. Malden: Blackwell.

Lisosky, J. (2001). For all kids' sakes: Comparing children's television policy-making in Australia, Canada and the United States. *Media Culture & Society, 23*, 821-842.

Livingstone, S. (2009). On the mediation of everything. *Journal of Communication*, 59(1), 1–18.

Lodziak, C. (1987). *The power of television: A critical appraisal.* London: Pinter.

Mattel and Nickelodeon form U.S. television and consumer products partnership for Thomas & Friends™. (2018, January 25). Retrieved from https://news.mattel.com/news/mattel-and-nickelodeon-form-u-s-television-and-consumer-porducts-partnership-for-thomas-friendsTM

Matthews, A., Cowburn, G., Rayner, M., Longfield, J. and Powell, C. (2005). *The marketing of unhealthy food to children in Europe*. Brussels: European Heart Network.

McAllister, M. P. (2000). From flick to flack: The increased emphasis on marketing by media entertainment corporations. In C*ritical studies in media commercialism* (pp. 101–122). New York: Oxford University Press.

McAllister, M. P., and Giglio, J. M. (2005). The commodity flow of U.S. children's television. *Critical Studies in Media Communication, 22*(1), 26-44.

McAllister, M. P., and Stoltzfus-Brown, L. (2019). Understanding corrosive elements in the political economy of media. In E. Downs (Ed.), *The dark side of media and technology: A 21st century guide to media and technological literacy* (pp. 49-60). New York: Peter Lang.

McGuigan, J. (2003). Cultural policy studies. *Critical Cultural Policy Studies*, 23–42.

McLean, T. (2010, June 9). Skechers promotes Zevo-3 with shoebox DVD preview. Retrieved from https://www.animationmagazine.net/tv/skechers-promotes-zevo-3-with-shoebox-dvd-preview/

McLuhan, M. (1964). *Understanding media: The extensions of man*. London: McGraw-Hill Education.

McNulty, J., and Lorimer, R. (1996). *Mass communication in Canada*. Toronto: Oxford University Press.

McRobbie, A. (1996). All the world's a stage, screen or magazine: When culture is the logic of late capitalism. *Media, Culture & Society*, *18*(2), 335–342.

Medical Officer of Health - City of Toronto. (2008, February 8). *Food and beverage marketing to children* (Rep.). Retrieved https://www.toronto.ca/legdocs/mmis/2008/hl/bgrd/backgroundfile-11151.pdf

Melody, W. H., Salter, L., and Heyer, P. (1981). *Culture, communication, and dependency: The tradition of H. A. Innis*. Norwood, NJ: Ablex Pub Corp.

Menzies, P. (2020, January 31). Opinion: Broadcasting report constitutes a stunning overreach. Retrieved from https://www.theglobeandmail.com/business/commentary/article-the-crtc-report-constitutes-a-stunning-unjustified-power-grab/

Meyrowitz, J. (2014). *No sense of place: The impact of electronic media on social behavior*. New York: Oxford University Press.

Mill, J.S. (1974). *On liberty*. Harmondsworth: Penguin.

Morley, D. (1992). *Television, audiences and cultural Studies*. New York: Routledge.

Mosco, V. (1996). *The political economy of communication*. Los Angeles: Sage Publications.

Muetzelfeldt, M. (1992). *Society, state & politics in Australia*. Leichhardt: Pluto Press.

Nerone, J., and Barnhurst, K. G. (2003). News form and the media environment: A network of represented relationships. *Media, culture & society*, *25*(1), 111–124.

Ofcom. (2017, November 29). Children and parents: Media use and attitudes report. Retrieved from https://www.ofcom.org.uk/__data/assets/pdf_file/0020/108182/children-parents-media-use-attitudes-2017.pdf

Ofcom (2007) Television advertising of food and drink products to children: full statement, www.ofcom.org.uk/consult/condocs/foodads_new/statement/ statement.pdf

Ofcom TV and Radio Broadcasting Codes. (2020, January 24). Retrieved from https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-codes

Olson, D., and Rampaul, G. (2013). Representations of childhood in the media. In D. Lemish (Eds.), *Routledge international handbook of children* (pp.23-30). Routledge Handbooks Online.

Paterson, S., and Scala, F. (2015). Making gender visible: Exploring feminist perspectives through the case of anti-smoking policy. *Handbook of Critical Policy Studies*, 481–506.

Pecora, N. (1998). *The business of children's entertainment*. New York: Guilford.

Poggi, J. (2018, October 02). Here's how much it costs to advertise in TV's biggest shows. Retrieved from https://adage.com/article/media/tv-pricing-chart/315120

Poniewozik, J. (2014, October 30). The post-television TV era has begun. Retrieved from https://time.com/3547960/simpsons-world-hbo-streaming-tv/

Postman, N. (1994). *The disappearance of childhood*. New York: Allen and Unwin.

Potter, S. (2009). Britishness, the BBC, and the birth of Canadian public broadcasting, 1928–1936. In Allen G. & Robinson D. (Eds.), *Communicating in Canada's past: Essays in media history* (pp. 78-108). University of Toronto Press.

Price, S. (2007). *Discourse power addresses: The politics of public communication.* Hampshire: Ashgate Publishing Limited.

Prout, A. (2008). Culture – Nature and the construction of childhood, in S. Livingstone and K. Drotner (eds) *The international handbook of children, media and culture*. London: Sage, 21–35.

Raboy, M., and Shtern, J. (2010). *Media divides: Communication rights and the right to communicate in Canada*. Vancouver and Toronto: UBC Press.

Rideout, V. J., Foehr, U. G. and Roberts, D. F. (2010). Generation M2. Media in the Lives of 8- to 18-Year Olds. A Kaiser Family Foundation Study. Menlo Park, CA: Kaiser Family Foundation.

Rose, N. (1996). Governing 'advanced' liberal democracies. In A. Barry, T. Osborne and N. Rose (Eds.), *Foucault and Political Reason.* (pp.37-64). London: UCL Press.

Rostron, A. (1996). Return to Hot Wheels: The FCC, Program-length commercials, and the Children 's Television Act of 1990. *Hastings Communication and Entertainment Law Journal, 19*(1), 59-85. Retrieved from https://repository.uchastings.edu/cgi/viewcontent.cgi?article=1450&context=hastings_comm_ent_law_journal.

Rutherford, J. (1990). *Identity: Community, culture, difference*. London: Lawrence and Wishart.

Rutherford, P. (1994). *The new icons?: The art of television advertising*. Toronto: University of Toronto Press.

Rutherford, P. (2009). Encounters with theory. In Allen G. & Robinson D (Eds.), *Communicating in Canada's past: Essays in media history* (pp. 271-296). Toronto: University of Toronto Press.

Ryff. (2020). Retrieved from https://www.ryff.com/

Scala, F. (2019). *The contested politics of assisted reproductive technologies in Canada - delivering policy*. Vancouver and Toronto: UBC Press.

Scannell, P. (1989). Public service broadcasting and modern public life. *Media, Culture and Society, 11*(2), 135-166.

Schmidt, V. (2008). Discursive institutionalism: The explanatory power of ideas and discourse. *Annual Review of Political Science, 11*, 303-326.

Schneider, C. (1987). Children's television: The art, the business, and how it works. Lincolnwood, IL: NTC business Books.

Schramm, W. (1961). *Television in the lives of our children*. Stanford, CA: Stanford University Press.

Selwyn, N. (2003). 'Doing IT for the Kids': Re-examining children, computers and the 'information society'. *Media, culture & society*, *25*(3), 351–378.

Shears, P. (2014). Product placement: The UK and the new rules. *Journal of Promotion Management, 20* (1), 59-81.

Smythe, D.W. (1977). "Communications: Blindspot of Western Marxism". *Canadian Journal of Political and Society Theory*. 1 (3): 1–28.

Speers S. E., Harris, J. L. and Schwartz, M. B. (2011). Child and adolescent exposure to food and beverage brand appearances during prime-time television programming. *American Journal of Preventive Medicine, 41*(3), 291–96.

Spielvogel, I., Naderer, B., and Matthes, J. (2019). Again and again: Exploring the influence of disclosure repetition on children's cognitive processing of product placement. *International Journal of Advertising, 39*(5), 611-630.

Spigel, L., and Mellencamp, P. (Ed.) (1990). *TV in the family circle: The popular reception of a new medium: Logics of television: Essays in cultural criticism*. Bloomington and Indianapolis: University of Indiana Press.

Steemers, J. (2010). *Creating preschool television. A story of commerce, creativity and curriculum*. Basingstoke: Palgrave Macmillan.

Steemers, J. (2013). Children's television culture. In D. Lemish (Eds.), *Routledge international handbook of children* (pp.103-110). London and New York: Routledge Handbooks Online.

Steemers, J., and D'Arma, A. (2010). Policy interventions and the crisis in children's television. In *Creating preschool television* (pp. 171-190). London: Palgrave Macmillan.

Stöber, R. (2004). What media evolution is: A theoretical approach to the history of new media. *European journal of communication*, *19*(4), 483–505.

Strinati, D. (2004). *An introduction to theories of popular culture* (Second). London: Routledge.

Sullivan, L. (2008, June 20). FCC Is urged to clamp down on product placement. *Marketing daily*. Retrieved from https://www.mediapost.com/publications/article/85040/fcc-is-urged-to-clamp-down-on-product-placement.html

Sum, N.-L. (2009). The production of hegemonic policy discourses: 'competitiveness' as a knowledge brand and its (re-)contextualizations. *Critical policy studies, 3*(2), 184-203.

Sum, N.-L. (2010). The cultural political economy of transnational knowledge brands: Porterian competitiveness discourse and its recontextualization to Hong Kong/Pearl River Delta. *Journal of language and politics, 9*(4), 184-203.

Sum, N.L., and Jessop, B. (2013). *Towards a cultural political economy: Putting culture in its place in political economy*. Cheltenham: Edward Elgar.

Sum, N.L., and Jessop, B. (2015). Cultural Political Economy and Critical Policy Studies: Developing a Critique of Domination. In *Handbook of Critical Policy Studies* (pp. 128-150). Cheltenham, UK: Edward Elgar Publishing.

Sutherland, A., and Thompson, B. (2003). *Kidfluence: The marketers guide to understanding and reaching generation Y—Kids, tweens, and teens*. New York: McGraw-Hill.

The Real Stars of "Stranger Things"? All Those Brand Names. (2019, July 19). Retrieved from https://www.cbsnews.com/news/stranger-things-turns-upside-down-the-business-of-product-placement/

Turow, J. (2009). General introduction: Thinking critically about advertising and consumer culture. In J. Turow & M. P. McAllister (Eds.), *The advertising and consumer culture reader* (pp. 1-8). New York: Routledge.

Tylee, J. (2005). Is product placement the future? *Campaign*, March 18, 19.

Watson, A. (2020, April 3). Streaming in Canada. Retrieved from https://www.statista.com/topics/5235/streaming-in-canada/#dossierSummary__chapter4

Weir, L. (2008). The concept of truth regime. *The Canadian journal of sociology / Cahiers Canadiens De Sociologie, 33*(2), 367-389.

Wells, K. C. (2015). *Childhood in a global perspective* (Second). Hoboken, MA: Wiley.

White, M. (1992). Ideological analysis: Television and contemporary criticism. In R. Allen (Ed.), *Channels of discourse: Television and contemporary criticism* (2nd ed., pp.

161-202). Chapel Hill: University of North Carolina Press.

Wilcox, B., Kunkel, D., Cantor, J., Dowrick, P., Linn, S., and Palmer, E. (2004). Report of the APA Task Force on Advertising and Children. Section: Psychological issues in the increasing commercialization of childhood.

Williams, R. (1963). *Culture and society*. New York: Columbia University Press.

Williams, R. (1977). *Marxism and literature*. Toronto: Oxford University Press.

Williams, R. (1981). Institutions. *The sociology of culture*, 33–56. Chicago: University of Chicago Press.

World Health Organization. (2012). *World health statistics*. Geneva: WHO.

World Health Organization. (2000). *Obesity: Preventing and managing the global epidemic.* (No. 894). Geneva: WHO.

Wu, T. (2016). *The attention merchants: The epic scramble to get inside our heads*. New York, NY: Alfred A. Knopf.

Zelizer, V. A. (1985). *Pricing the priceless child: The changing social value of children*. New York: Basic Books.