

**Children’s Food and Beverage Advertising Initiative:**  
**The Hershey Company Pledge**

**Hershey Pledge**

The Hershey Company is proud to be a participant in the Children’s Food and Beverage Advertising Initiative (“CFBAI”). Hershey is also a supporter of the Children’s Advertising Review Unit of BBB National Programs. Hershey is pleased to submit this restated pledge, which is consistent with its previous CFBAI pledges and reflects CFBAI’s Core Principles, 5th ed. (2020).

- 1) The Hershey Company will not engage, in the United States, in advertising primarily directed to children under 12 in Covered Media.
- 2) Covered Media shall include:
  - a. Television
  - b. Radio
  - c. Print
  - d. Internet/Digital media, including but not necessarily limited to:
    - I. Company-owned websites
    - II. Third-party websites, including display, banner, pop-up, audio or video advertising<sup>1</sup>
    - III. Mobile apps or mobile media, including advertising on phones, laptops, tablets, other personal digital devices, in whatever form, including email, text, IM or SMS messaging
  - e. Platforms (e.g., YouTube) that may have content or channels that are primarily directed to children<sup>2</sup>
  - f. Video and computer games that are primarily directed to children under age 12
  - g. DVDs of movies that are rated “G” whose content is primarily directed to children under age 12, and other DVDs whose content is primarily directed to children under age 12
  - h. Word of mouth.<sup>3</sup>

If Hershey were to decide at some future time to advertise products that meet the CFBAI nutrition criteria to children under 12, Hershey would notify CFBAI and submit a revised pledge to CFBAI for review.

- 3) *Product Placements:* Hershey commits to not paying for or actively seeking to place its

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<sup>1</sup> User-generated content that is not under the control of Hershey is not covered by this Commitment.

<sup>2</sup> As provided in CFBAI’s Core Principles, advertising on a platform that uses valid age verification to restrict access presumptively is not primarily directed to children under age 12.

<sup>3</sup> Word of mouth advertising refers to advertising primarily directed to children where a participant provides incentives (financial or otherwise), product samples or other support to individuals or groups who are not employees to encourage such individuals or groups to discuss the company’s branded foods or beverages.

products in third-party program/editorial content of any medium primarily directed to children under the age of 12 for the purpose of promoting the sale of those products.

- 4) *Product Integrations*: Hershey will not pay for or actively seek integration of its products in any medium primarily directed to children under 12.
- 5) *Influencers*: Hershey will not use influencers to promote its products in communications primarily directed to children under 12.
- 6) *Licensed Characters, Celebrities and Movie Tie-Ins*: The Hershey Company will not use third party licensed characters, celebrities, and movie tie-ins in advertising primarily directed to children under 12.
- 7) *Elementary Schools*: The Hershey Company will not advertise its products to children in elementary schools (pre-K through 6<sup>th</sup> grade) and will not license its brands for use on educational materials or materials intended for use by children primarily in elementary schools. The foregoing commitment does not apply to displays of foods and beverages, including materials that identify the products that are being offered for sale, charitable fundraising activities, public service messaging, items provided to school administrators for their personal use, and charitable donations to schools.
- 8) *Definition of Advertising Primarily Directed to Children under 12*: Hershey will use the following criteria to define advertising primarily directed to children under 12 and to demonstrate compliance with CFBAI's Core Commitments.
  - a. *Measured media*. For measured media, Hershey will define "advertising primarily directed to children" as advertising for which children ages 2-11 constitute at least 30% of the expected audience (the "audience threshold"). The audience demographics that determine compliance with this audience threshold will be measured in media impressions expected to be received by specific demographic groups at the time the advertising is purchased, based on reliable third-party information (e.g., Nielsen ratings for TV or comScore data for digital media).

Hershey typically purchases television advertising once annually, well in advance of when the advertising will air, on a daypart or timeblock basis. Advertising placed in purchased dayparts or timeblocks will be identified as compliant for purposes of CFBAI based on an analysis of the annualized audience composition data for the block of time purchased.

- b. *Digital and online media*. For "contextual advertising," which is served based on the content that is adjacent to the ad or in which the ad is placed, Hershey will determine whether such content is child-directed based on an assessment of the composition of the audience for that content (if known) or, where reliable audience composition data is not available, an assessment of multiple factors related to that content.

Where audience composition is known, Hershey will consider such advertising primarily directed to children if 30% or more of the audience for the site, app, or content in which the ad is placed are children under age 12. Where audience composition data is inadequate to make this determination, such advertising will be deemed primarily

directed to children if the ad is placed in content that appears to be child-directed based on an evaluation of multiple factors related to that content, including whatever age demographics for the site or digital content may be available, an assessment of the overall nature of the content, including but not limited to the subject matter of the site or video, the visual content, the language used, the kind of music or audio content, the difficulty of game play, the influencer or influencers featured in the content, actions taken to restrict children's access to the site or content, and content identifier tools that indicate whether content is child-directed provided by platforms or content developers.

Hershey will also use age-targeting tools and interest-based or behavioral factors to avoid serving ads for its products to children under 12, such as:

- I. Age-targeting (based on cookie data or other age indicia) to audiences other than children;
- II. Targeting based on interest-based or behavioral data to audiences other than children;
- III. Blacklisting of specific sites, channels or other content that are directed to children; and
- IV. The use of relevant topic, keyword, or content classification or identification systems or filters provided by the platform owner or content developer (e.g., an app developer).

This pledge applies to all brands and products of The Hershey Company and its U.S. subsidiary companies. Some of Hershey's major brands include HERSHEY'S, REESE'S, HERSHEY'S KISSES, TWIZZLERS, ICE BREAKERS, and JOLLY RANCHER.

Hershey initially implemented this pledge on January 1, 2007 and restated it in 2010, 2018, and 2020.

The Hershey Company is a Delaware Corporation with offices located in Hershey, Pennsylvania. Questions about the Hershey Pledge should be directed to:

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