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# Soft Drinks, Obesity and Corporate Power

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## The Australian soft drink industry's political strategy to position itself as “part of the solution” to obesity

by

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*A thesis submitted in total fulfilment of the requirements for the degree of*

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The University of Melbourne



# Abstract

## Background

Soft drink corporations face scrutiny from governments and public health experts for the contribution of their products to obesity and non-communicable diseases. Historically, the soft drink industry sought to deny the contribution of its products to the incidence of obesity and undermine public health policies that it perceived as threatening. This oppositional strategy has evolved into a more conciliatory approach, in which the soft drink industry has sought to position itself as “part of the solution” to obesity through the implementation of corporate health promotion strategies. This thesis begins with the proposition that, like lobbying and more overtly oppositional political strategies, corporate health promotion is fundamentally a political strategy. To interrogate this proposition, this thesis explores the political dimensions and consequences of corporate health promotion. It aims to answer the following research question: *How and why has the soft drink industry attempted to position itself as “part of the solution” to obesity?*

## Methods

This thesis analyses three case studies of corporate health promotion strategies used by the Australian soft drink industry: its provision of nutrition education and information; its reformulation of soft drinks to reduce calories and sugar; and its engagement with the policy process via the development of self-regulation. This thesis also explores the various forms of power that corporate stakeholders exercise to minimise the risk of government regulation and to maintain the sales of their products, including instrumental, structural and discursive forms of power.

## Results

The first case study analysed the different forms of nutrition education and information that the Australian Beverages Council and Coca-Cola Australia provided to the Australian public. This study found that most initiatives informed consumers about the importance of calorie counting, which

benefited the soft drink industry in several ways. The second case study analysed how Coca-Cola Australia's product reformulation practices and communications evolved. This study found that Coca-Cola Australia's reformulation initiatives changed from a strategy of "offering variety" to "stealth sugar reformulations." The third case study analysed the political rationales and practices underpinning the Australian Beverages Council's development and promotion of self-regulation in response to obesity. This study found that the Australian Beverages Council's approach to obesity changed from denying the role of soft drinks in obesity to creating self-regulation and funding research to demonstrate that its industry was part of the solution.

## **Conclusions**

The Australian soft drink industry gradually changed how it communicates and practices corporate health promotion in response to obesity. Comparisons between the case studies reveal that some of these changes cluster around similar periods, which coincide with transformations in the corporate health promotion strategies of the global soft drink industry and other food and beverage manufacturers internationally. A key finding is that corporate health promotion offers a range of political benefits for the soft drink industry that amplify its political power and make it easier to exercise political power and influence in the future. This thesis contributes to the growing body of scholarship interrogating the political power of the packaged and fast food industry and its influence on food and nutrition governance.

# Declaration

This is to certify that:

- The thesis comprises only my original work towards the Doctor of Philosophy except where indicated in the Preface;
- Due acknowledgment has been made in the text to all other material used; and
- The thesis is fewer than the maximum word limit in length (100,000), exclusive of tables, maps, bibliographies, and appendices.

Signed:

Jennifer Lacy-Nichols

# Preface

I would like to gratefully acknowledge my receipt of two scholarships from the University of Melbourne that made this thesis possible: the Melbourne International Fee Remission Scholarship (MIFRS) and the Melbourne International Research Scholarship (MIRS).

I would also like to acknowledge my receipt of additional funding provided by the Faculty of Veterinary and Agricultural Sciences, which has facilitated my attendance at conferences to present my research.

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To my friends, who make Australia home. I'm sorry you know so much about corporate power, Coca-Cola and obesity. If I have tarnished your grocery shopping experience, I hope I can make up for it. Thank you for your patience with me and my (occasional) thesis rants, my descent into hermit-esque status and the continual interest you express (or have nailed faking) about sugary drinks trivia and trivialities.

To my family. Mum, you actually read my thesis. As always, your insights are spot on. My writing is better because of you, though we both know that you and Emily have pilfered all the literary prowess in the family (Em, I hope you know how much I admire your creativity and talent as a writer). Thank you all for visiting me in Melbourne—I miss you all.

Nic. I'll blow out my wordcount if I try to describe the litany of ways you make everything about my life so much better. The inadequate summary contains your tolerance of my kitchen bossiness (I'll try to care less about the size of vegetables, and yes, I know that I said that in my vows too), your laugh (which is the only tolerable thing about watching cricket), your ability to pull me out of my darkest funks (when my writing stagnates or when I managed to rupture my ACL), your

willingness to hear me rehearse lectures endlessly and your (very astute) insights about corporate behaviour (see, your economics degree is useful!). I love you so very immensely.

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# List of Abbreviations

|              |                                                                         |
|--------------|-------------------------------------------------------------------------|
| <b>ABA</b>   | American Beverage Association                                           |
| <b>ABC</b>   | Australian Beverages Council                                            |
| <b>AFGC</b>  | Australian Food and Grocery Council                                     |
| <b>ASDA</b>  | Australian Soft Drink Association / Australasian Soft Drink Association |
| <b>CCA</b>   | Coca-Cola Amatil                                                        |
| <b>CCSP</b>  | Coca-Cola South Pacific                                                 |
| <b>CEO</b>   | Chief Executive Officer                                                 |
| <b>CPA</b>   | Corporate Political Activity                                            |
| <b>CSD</b>   | Carbonated soft drink                                                   |
| <b>CSR</b>   | Corporate social responsibility                                         |
| <b>DAA</b>   | Dietitians Association of Australia                                     |
| <b>DIG</b>   | Daily Intake Guide                                                      |
| <b>EU</b>    | European Union                                                          |
| <b>ICBA</b>  | International Council of Beverage Associations                          |
| <b>IFBA</b>  | International Food and Beverage Alliance                                |
| <b>IOM</b>   | Institute of Medicine                                                   |
| <b>FOPL</b>  | Front-of-pack label                                                     |
| <b>FSANZ</b> | Food Standards Australian and New Zealand                               |
| <b>HSR</b>   | Health Star Rating                                                      |
| <b>MTL</b>   | Multiple traffic light [label]                                          |
| <b>NCD</b>   | Non-communicable disease                                                |
| <b>NPS</b>   | Nutrient profiling system                                               |
| <b>NHMRC</b> | National Health and Medical Research Council                            |
| <b>UN</b>    | United Nations                                                          |
| <b>PPP</b>   | Public-private partnership                                              |
| <b>SSB</b>   | Sugar-sweetened beverage                                                |
| <b>TCCC</b>  | The Coca-Cola Company                                                   |
| <b>TNC</b>   | Trans-national corporation                                              |
| <b>UK</b>    | United Kingdom                                                          |
| <b>US</b>    | United States                                                           |
| <b>WCRF</b>  | World Cancer Research Fund                                              |
| <b>WHO</b>   | World Health Organization                                               |

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| Coca-Cola Journey 2015, 'Amazonian Sweetness: Understanding Stevia', viewed 23 July 2015, < <a href="http://www.coca-colajourney.com.au/stories/amazonian-sweetness-understanding-stevia">http://www.coca-colajourney.com.au/stories/amazonian-sweetness-understanding-stevia</a> >.                                                                                      | p. 143 (Figure 18, no. 1)  | N                      |
| Coca-Cola Journey 2015, 'Our products: energy balance', viewed 23 July 2015, < <a href="http://www.coca-colajourney.com.au/our-products/energy-balance">http://www.coca-colajourney.com.au/our-products/energy-balance</a> >.                                                                                                                                             | p. 143 (Figure 18, no. 2)  | N                      |
| Coca-Cola Journey 2015, 'Calories, Obesity, and Our Commitment to Choice and Information', viewed 15 January 2016, < <a href="http://www.coca-colajourney.com.au/our-commitments-to-help-address-obesity">http://www.coca-colajourney.com.au/our-commitments-to-help-address-obesity</a> >.                                                                               | p. 143 (Figure 18, no. 3)  | N                      |
| Coca-Cola Journey 2015, 'A Quick Guide to Sugar Substitutes', viewed 15 January 2016, < <a href="http://www.coca-colajourney.com.au/a-quick-guide-to-low-and-no-kilojoule-sweeteners">http://www.coca-colajourney.com.au/a-quick-guide-to-low-and-no-kilojoule-sweeteners</a> >.                                                                                          | p. 143 (Figure 18, no. 4)  | N                      |
| Australasian Soft Drinks Association 1998, 'Liquids for Living', viewed 14 February 2017, < <a href="http://web.archive.org/web/19980209050717/http://www.softdrink.org.au:80/html/liquids_for_living.html">http://web.archive.org/web/19980209050717/http://www.softdrink.org.au:80/html/liquids_for_living.html</a> >.                                                  | p. 169 (Figure 20)         | N                      |
| Australasian Soft Drinks Association 1998, <i>ASDA Yearbook</i> , Executive Media Pty Ltd., Melbourne.                                                                                                                                                                                                                                                                    | p. 296                     | N                      |
| Australasian Soft Drinks Association 1998, 'The Issue: Nutrition and Health', viewed 14 February 2017, < <a href="https://web.archive.org/web/19980209055849/http://www.softdrink.org.au/html/nutrition_and_health.html">https://web.archive.org/web/19980209055849/http://www.softdrink.org.au/html/nutrition_and_health.html</a> >.                                     | p. 297                     | N                      |

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|---|
| Australasian Soft Drinks Association 1998, 'Canteen Sales', no. 14 February 2017, viewed 14 February 2017, < <a href="https://web.archive.org/web/19980209055926/http://www.softdrink.org.au/html/canteen_sales.html">https://web.archive.org/web/19980209055926/http://www.softdrink.org.au/html/canteen_sales.html</a> >.                                                                                              | p. 298                  | N |
| Australasian Soft Drinks Association 1998, 'Health and nutrition pyramid', viewed 14 February 2017, < <a href="https://web.archive.org/web/19980209045541/http://www.softdrink.org.au/html/health_nutrition_pyramid.html">https://web.archive.org/web/19980209045541/http://www.softdrink.org.au/html/health_nutrition_pyramid.html</a> >.                                                                               | p. 299 (Figure 23)      | N |
| Australian Soft Drinks Association 2003, <i>ASDA Yearbook</i> , Executive Media Pty Ltd., Melbourne.                                                                                                                                                                                                                                                                                                                     | p. 300                  | N |
| Australian Beverages Council 2004, 'Nutrition and Health', viewed 14 February 2017, < <a href="https://web.archive.org/web/20040824224518/http://www.australianbeverages.org/scripts/cgiip.exe/WService=ASP0002/ccms.r?Roxy=0x0001e604&amp;PageId=10014">https://web.archive.org/web/20040824224518/http://www.australianbeverages.org/scripts/cgiip.exe/WService=ASP0002/ccms.r?Roxy=0x0001e604&amp;PageId=10014</a> >. | pp. 301-302             | N |
| Australian Beverages Council 2005, 'Industry Policies: Health and Nutrition', viewed 11 August 2015, < <a href="https://web.archive.org/web/20060819054408/http://www.australianbeverages.org/scripts/cgiip.exe/WService=ASP0002/ccms.r?PageId=10100">https://web.archive.org/web/20060819054408/http://www.australianbeverages.org/scripts/cgiip.exe/WService=ASP0002/ccms.r?PageId=10100</a> >.                        | pp. 303-304             | N |
| Australian Beverages Council 2006, 'Commitment Addressing Obesity and Other Health and Wellness issues', viewed 9 February 2017, < <a href="http://web.archive.org/web/20060917141509/http://www.australianbeverages.org/lib/pdf/ObesityCommitmentDoc.pdf">http://web.archive.org/web/20060917141509/http://www.australianbeverages.org/lib/pdf/ObesityCommitmentDoc.pdf</a> >.                                          | pp.305-316 (Figure 24)  | N |
| Australian Beverages Council 2007, 'Commitment Addressing Obesity and Other Health and Wellness issues', viewed 9 February 2017, < <a href="http://web.archive.org/web/20070713224422/http://www.australianbeverages.org/lib/pdf/Commitment_Addressing_Obesity_Doc.pdf">http://web.archive.org/web/20070713224422/http://www.australianbeverages.org/lib/pdf/Commitment_Addressing_Obesity_Doc.pdf</a> >.                | pp. 317-324 (Figure 25) | N |
| Australian Beverages Council 2009, 'Commitment Addressing Obesity and Other Health and Wellness issues', viewed 19 August 2015, < <a href="http://www.australianbeverages.org/lib/pdf/Commitment_Addressing_Obesity_and_Report.pdf">http://www.australianbeverages.org/lib/pdf/Commitment_Addressing_Obesity_and_Report.pdf</a> >.                                                                                       | pp. 325-332 (Figure 26) | N |



# 1. Introduction

## The politics of corporate health promotion

*Obesity is today's most challenging health issue.... We are committed to being part of the solution, working closely with partners from business, government and civil society.*

—The Coca-Cola Company (2013a)

*At a time when the appropriate and acceptable degree to which the state can intervene upon individual health or risk behaviours is being debated...the corporate interventionist ethic demands the same degree of empirical analysis currently devoted to that of public health.*

—Herrick (2009, p. 60)

## Introduction

This thesis is about *corporate health promotion*, specifically the soft drink industry's claim that it can be “part of the solution” to obesity. The soft drink industry, along with the packaged and fast food industry, has a long history of denying the contribution of its industry to obesity and working to block or undermine public health policies that it perceives as threatening to its business model (Brownell & Warner 2009; Mialon, Swinburn & Sacks 2015; Moodie et al. 2013; Nestle 2015b). This oppositional response to obesity has more recently evolved into a more conciliatory approach, in which the food industry has restricted its marketing to children, removed soft drinks from schools, developed nutrition labels, sponsored physical activity programs, reduced the salt, sugar and fat in its products, developed nutrition education programs and partnered with governments and public health organisations to develop and implement nutrition policies (Nestle 2015b; Nixon et al. 2015; Scrinis 2016). Collectively, I refer to these conciliatory strategies as *corporate health promotion*.<sup>1</sup> While the food industry presents its corporate health promotion activities in a positive light, arguing that they demonstrate the capacity and willingness of the industry to be part of the solution to obesity, public health and government stakeholders remain divided in their evaluations of corporate health promotion (Hawkes & Buse 2011; Kraak et al. 2012). This ambiguity and contestation over how to evaluate the food industry's corporate health promotion strategies is the impetus for this thesis.

Underpinning this ambiguity and contestation is a debate over whether and how the packaged and fast food industry can contribute to solutions to address obesity (and other non-communicable diseases). Some governments and public health organisations point to the capacity of the food industry to contribute to public health solutions due its economic resources and global reach; they assert that solutions to global health problems can be achieved via partnerships and collaborations between the public and private sectors—such as EPODE<sup>2</sup> in the EU, the Public Health Responsibility Deal in the UK, the Healthy Weight Commitment Foundation in the USA and the Healthy Food Partnership in Australia (Hawkes & Buse 2011; Jones et al. 2016; Kraak et al. 2012).

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<sup>1</sup> This term comes from Wiist (2011).

<sup>2</sup> EPODE is the European anti-obesity program “Ensemble Prévenons l'Obésité Des Enfants” (*Together Let's Prevent Childhood Obesity*) (Borys et al. 2012).

Others view the food industry with more suspicion and argue that its business interests present an irreconcilable conflict of interest and preclude the industry from contributing to genuine solutions to obesity (Freudenberg 2014; Ludwig & Nestle 2008; Moodie et al. 2013; Stuckler & Nestle 2012; Wiist 2010).

The debate over whether and how to engage with the packaged and fast food industry reflects a broader concern within the global health community about how to challenge the political power and influence of the private sector (Buse, Tanaka & Hawkes 2017; Hastings 2012; McKee & Stuckler 2018; Moschetti & Taylor 2015; Zoller 2016). The oft-repeated quote from former Director General of the World Health Organization (WHO), Margaret Chan, epitomises this concern:

*Efforts to prevent noncommunicable diseases go against the business interests of powerful economic operators....it is not just Big Tobacco anymore. Public health must also contend with Big Food, Big Soda, and Big Alcohol. All of these industries fear regulation and protect themselves by using the same tactics.... Not one single country has managed to turn around its obesity epidemic in all age groups. This is not a failure of individual will-power. This is a failure of political will to take on big business (Chan 2013).*

A growing body of literature examines how the food industry exercises political power to oppose food and nutrition policies that it perceives as threatening to its interests (Baker et al. 2018; Buse & Hawkes 2014; Madureira Lima & Galea 2018; McKee & Stuckler 2018; Shiffman 2014; Stuckler, Basu & McKee 2010). This scholarship offers insights into the nature of the food industry's political power and the different ways that it exercises power to shape the political environment in its favour. This thesis seeks to contribute to this growing body of scholarship on the political power of the packaged and fast food industry by interrogating the political dimensions and consequences of corporate health promotion. I begin with the proposition that, like lobbying and other more overtly oppositional political strategies, corporate health promotion is fundamentally a political strategy.

To interrogate this proposition, this thesis explores the political dimensions and consequences of corporate health promotion. It aims to answer the following research question: **How and why has the soft drink industry attempted to position itself as “part of the solution” to obesity?** An initial aim of this thesis is to map out and scrutinise the specific actions that the soft drink industry

has taken to promote itself as part of the solution to obesity. To do this, I conducted a case study of the Australian soft drink industry's corporate health promotion strategies. I examined three corporate health promotion strategies: nutrition education, product reformulation and self-regulation. My analysis of these three case studies was informed by three research sub-questions:

**RQ1: How and why does the Australian soft drink industry promote nutrition education initiatives that focus on calorie counting?**

**RQ2. How and why does the Australian soft drink industry reformulate sugar-sweetened beverages in response to concerns about calories, sugar and artificial sweeteners?**

**RQ3. How and why does the Australian soft drink industry develop and promote self-regulation to influence its political environment?**

These three research sub-questions examine different facets of the soft drink industry's corporate health promotion strategies and are addressed in Chapters 4, 5 and 6 of this thesis. I formulated these research questions following an initial scoping study of the Australian soft drink industry's corporate health promotion strategies and a review of the relevant literature. By focusing on the Australian soft drink industry, this thesis provides a case study of a single industry acting in a single political context. This narrow focus allows me to consider the influence of industry-specific and context-specific factors in understanding how and why the soft drink industry pursues certain corporate health promotion strategies. I elaborate on my selection of corporate health promotion strategies in Chapter 3.

As discussed above, the second aim of this thesis is to contribute to the growing body of scholarship interrogating the political power of the packaged and fast food industry and its influence on food and nutrition governance. Drawing on research into the influence of *corporate power* on debates over environmental and nutrition sustainability (in particular Clapp and Fuchs (2009b), Clapp and Scrinis (2017) and Fuchs et al. (2016)), I will show that critical scrutiny of corporate power relations can illuminate some of the ways that corporate health promotion

amplifies the political power of the soft drink industry and tilts the balance of power relations in its favour. In this thesis, I draw on Fuchs' (2007) corporate power framework and other scholarship on corporate political power to analyse the political dimensions and consequences of corporate health promotion.

The remainder of this chapter provides a broad overview of the issues discussed in this thesis. I first discuss how obesity became a political and business risk for the soft drink industry. This provides the contextual background for my investigation of the soft drink industry's responses to obesity and the issues discussed in this thesis. I then introduce the subject of my case study: the Australian soft drink industry. I conclude this chapter with an overview of the chapters in this thesis.

## Holding the soft drink industry accountable for obesity

This section outlines the historical and contemporary events that have compelled the soft drink industry to respond to obesity. How and why has obesity become a political priority for the soft drink industry? What factors conspired to make obesity into a problem for the industry?

I begin this section with the business community's response to obesity and the concerns it raises for companies, such as The Coca-Cola Company, that are heavily invested in sugar and sugary drinks. I then explore three intersecting streams that have made obesity a problem for the soft drink industry: nutrition research on the health harms of sugar; public campaigns and media attention about the harms of sugar consumption; and government and public health policies to reduce sugar consumption. Much of this literature focuses on the United States and Europe; where possible I include relevant examples and research from Australia. Collectively, these factors provide the impetus for the soft drink industry's responses to obesity that are the topic of this thesis.

## Business concerns: investors identify obesity as a risk for the soft drink industry

In the early 2000s, leading global investment firms raised concerns about the exposure of the packaged and fast food industry to obesity-related litigation and regulation (Lang, Rayner & Kaelin 2006). In JP Morgan's 2006 report *Obesity: Re-Shaping the Food Industry*, they stated that,

*Obesity has become a political and social issue; consequently [food and beverage] companies are going to be under rising pressure from governments, health organizations, consumer associations and the media to behave as very good corporate citizens (Langlois et al. 2006, p. 8).*

Over the next decade, it became clear that businesses invested in sugar and sugary drinks faced considerable financial and regulatory risks. Multiple reports from investment firms and business analysts examined the business risks for the soft drink industry of increased political attention to obesity and sugar (Table 1).

Table 1: Analyst reports on the business risks of obesity for the soft drink industry

| ORGANISATION                                                 | REPORT                                                                                                         |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| Euromonitor International                                    | <i>Carbonates: can new markets keep growth fizzing?</i> (2013a)                                                |
|                                                              | <i>The sugar backlash and its effects on global consumer markets</i> (2014)                                    |
|                                                              | <i>Imagine the post-carbonates world: soft drinks and the health question - the winners and losers</i> (2014b) |
|                                                              | <i>Fizzle or sizzle: what's next for the Australian beverages industry?</i> (2014a)                            |
|                                                              | <i>Sugar: the fool proof target for obesity or a can of worms?</i> (2017)                                      |
| Mintel                                                       | <i>Soft drinks falling flat? 25% of brits drinking less than they were six months ago</i> (2014a)              |
|                                                              | <i>Sugar and sweeteners: the consumer and industry's response</i> (2014b)                                      |
| Credit Suisse                                                | <i>Sugar: consumption at a crossroads</i> (2013)                                                               |
| Morgan Stanley                                               | <i>Sustainable economics: the bitter aftertaste of sugar</i> (2015)                                            |
| Oxford Economics and International Tax and Investment Centre | <i>The impacts of selective food and non-alcoholic beverage taxes</i> (2013)                                   |
| Schroders and Rathbone Greenbank                             | <i>Sugar, obesity and noncommunicable disease: Investor expectations</i> (2017)                                |

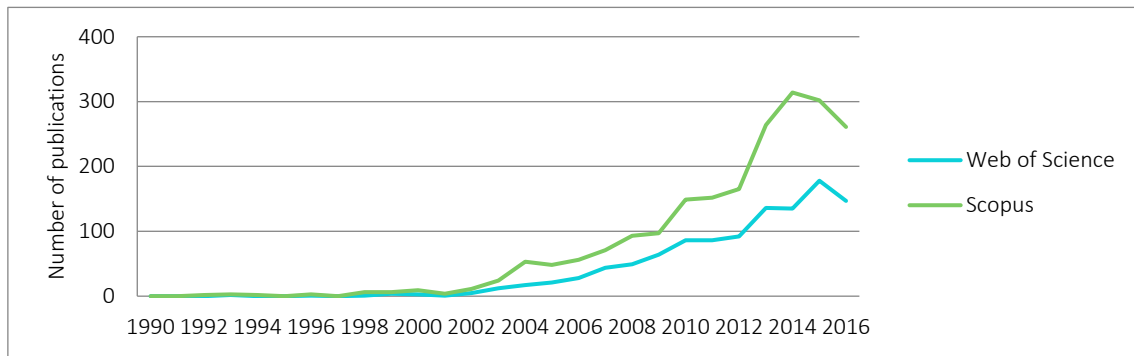
In 2013, Credit Suisse published a report titled *Sugar: consumption at a crossroads* in which it flagged the “looming threat” of government regulation and taxation as key issues for the sugar industry to address. It also noted the comparison made between sugar and tobacco, observing that tobacco and alcohol provided “relevant test cases” for soft drink taxation (Credit Suisse 2013), a comparison made in other reports, with Schroders and Rathbone Greenbank (2017, p. 2) asking “Is sugar turning Big Food into the next Big Tobacco?” Australian business analysts also highlighted the increasing “health consciousness” of Australian consumers as “negatively” impacting demand for sugary drinks in Australia (IBISWorld 2018e).

The global sugar industry involves a large number of stakeholders, including farmers, refiners, processors, traders, wholesalers, food and beverage manufacturers, bottlers, distributors, retailers, restaurants and advertisers; this points to the multiple stakeholders and policy levers involved in nutrition policy (Hawkes 2007, 2009; World Health Organization 2017a). Nonetheless, it is sugary drink manufacturers and the soft drinks they produce that have become the target of anti-sugar campaigns and regulations. This focus is partly pragmatic: the sugars in sweetened beverages are “easier to identify and isolate, and potentially regulate, restrict or tax as opposed to sugars that are almost ubiquitous in all solid foods” and beverage companies are the clearest “targets” for regulation (Credit Suisse 2013, pp. 10, 28). In the remainder of this section, I elaborate on how and why the soft drink industry (as opposed to the other stakeholders in the sugar industry identified above) became the “targets” for obesity regulation.

### Sugar and health: nutrition research, dietary guidelines and the obesogenic environment

Public health attention to the health harms of sugar consumption has a long history, albeit preceded by a longer history of using sugar as a medicine (Mintz 1986). In 1972, UK nutrition researcher John Yudkin published *Pure White and Deadly: the problem of sugar* (retitled in the United States as *Sweet and dangerous: the new facts about the sugar you eat as a cause of heart disease, diabetes, and other killers*) (1972a, 1972b). At the time, Yudkin’s research on the health harms of sugar was largely rejected by the medical and nutrition research community in favour of a focus on saturated fats promoted by Ancel Keys in the United States; it was not until the early 1990s that sugar and sugary drinks would ascend on the public health agenda (Scrinis 2013; Taubes 2008). The specific focus on the health consequences of sugary drink consumption gained prominence in the 1990s, with an increase in research examining the relationship between sugary drinks and obesity. Figure 1 shows the number of publications each year between 1990 and 2016 that included the keywords ((“SOFT DRINK” OR “SUGARY DRINK” OR “SUGAR-SWEETENED BEVERAGE” OR SODA) AND OBESITY) in two citation databases.

Figure 1: Published research on sugary drinks and obesity 1990-2016



National dietary guidelines gradually reflected the emerging evidence base on the relationship between sugary drinks and obesity (albeit not without staunch opposition from the soft drinks industry—a topic I will elaborate on in Chapter 2). In the United States, dietary guidelines shifted from a message to “avoid” to “moderate” to “reduce” sugar consumption, and more recently to a specific recommendation to reduce sugary drink consumption (Bragg & Nestle 2017). The Australian Dietary Guidelines shared a similar history. For example, the 1992 Australian Dietary Guidelines changed its sugar recommendation from “avoid eating too much sugar” to the softer “eat only a moderate amount of sugar and foods containing added sugars” (National Health and Medical Research Council 1992). In contrast, and likely a consequence of increased research on the link between sugary drinks and obesity, the 2013 Australian Dietary Guidelines recommended to “limit intake of food and drinks containing added sugars such as confectionary, sugar-sweetened soft drinks and cordials, fruit drinks, vitamin waters, energy and sports drinks” (National Health and Medical Research Council 2013). Unlike earlier dietary guidelines, which made little reference to research on the link between sugary drinks and obesity, the 2013 Australian Dietary Guidelines referenced 17 studies on the link between sugary drink consumption and weight gain (National Health and Medical Research Council 2013).

Paralleling the increased focus on the health harms of sugary drinks in the Australian and international nutrition community, the public health community transitioned away from a “downstream” individual approach to obesity to an “upstream” environmental approach (Baker et al. 2017). The *obesogenic environment* model identified physical, economic, political and sociocultural

factors that collectively shaped healthy or unhealthy food environments and posited that “obesity is a normal physiological response to an abnormal or inappropriate environment” (Lang & Rayner 2007; Swinburn, Egger & Raza 1999). This model emphasised the role of the food environment, especially the food industry, in shaping dietary patterns (Hawkes et al. 2012; Igumbor et al. 2012; Lang & Heasman 2004b; Winson 2014). A focus on the upstream and more diffuse determinants of health and nutrition widened the potential scope of nutrition policy to encompass trade, agriculture, finance, education and other sectors that shaped the food environment (Barling, Lang & Caraher 2002; Hawkes et al. 2012; Lang, Barling & Caraher 2009; Lang & Heasman 2004a). In addition to academic scholarship scrutinising the role of food corporations in shaping what we eat (see for instance Winson (2004), Winson and Choi (2016) and Scrinis (2016)), concern over the corporate influence on diet sparked public movements against the food industry.

### Civil society and public health organisations: anti-sugar campaigns and media attention

Public health organisations, journalists and documentary film makers played a key role in drawing attention to the health harms of sugary drinks and the more questionable business practices of the soft drink industry internationally. In the late 1990s and early 2000s, American public health organisations developed several advocacy campaigns to promote a reduction in sugar consumption, especially sugary drinks. In the appendices of *Soda Politics*, Nestle (2015b) lists key groups advocating for “healthier beverage choices” as well as campaigns to reduce sugary drink consumption such as “Kick the Can” from the California Center for Public Health Advocacy, the “Global Dump Soft Drinks” campaign from the Center for Science in the Public Interest and “Rethink Your Drink” from the Center for Disease Control. In 2014, global health experts formed *Action on Sugar* to promote public awareness of the health consequences of sugar consumption and to call for a gradual reduction of sugars in processed foods by the food and beverage industry (Action on Sugar 2014). Australian public health groups also developed advocacy campaigns. The Heart Foundation and the Cancer Council initiated the *LiveLighter* campaign, which used graphic images of “toxic fat” to raise awareness of the consequences of sugary drink consumption (LiveLighter 2014; Swinburn & Wood 2013). A group of Australian health organisations also

launched *Rethink Sugary Drink* to raise awareness of the high sugar content in many beverages and promote the consumption of water (Egan et al. 2016; Rethink Sugary Drink 2016).

Increasing media attention, especially in the United States (the corporate headquarters of The Coca-Cola Company and PepsiCo), focused on the role of both sugar and the soft drink industry in obesity. In 2006, American journalist Michael Pollan published the best-selling book *The Omnivore's Dilemma*, in which he linked the consumption of sugar, especially high fructose corn syrup, to rising rates of obesity. In 2009, Dr Robert Lustig gave a lecture titled “Sugar: the bitter truth” arguing that excessive consumption of fructose (half of what makes up table sugar, or sucrose) can lead to metabolic syndrome and obesity (Lustig 2009). By 2016, the YouTube clip of the lecture had more than six million views (Leslie 2016). Lustig (2013) also published *Fat Chance: the bitter truth about sugar*, a best-selling book which expanded on his toxic sugar argument. In 2013, journalist Michael Moss published *Salt Sugar Fat: how the food giants hooked us*, which explored how the food industry engineered products to appeal to consumers’ “bliss point” (Moss 2013). Like other accounts of the food industry, Moss noted the industry’s strategies to appeal to youth by increasing the sugar content of foods and beverages and intensive marketing campaigns. The 2014 film “Fed Up” focused on the role of sugar in childhood obesity, highlighting the large quantities of sugar that had been added to processed foods and beverages as well as the marketing practices of the soft drink industry (Soechtig 2014). The 2015 film “Sugar Coated” examined some of the strategies of the sugar industry to undermine research on the health consequences of sugar consumption and drew parallels between the behaviour of the sugar and tobacco industries (Hozer 2015).

Australia also saw growing media attention on sugar. In 2008, economist David Gillespie published *Sweet Poison: why sugar makes us fat*, which paralleled Lustig’s argument that sugar, especially fructose, could be viewed as toxic or a poison (Gillespie 2008). In 2013, journalist Sarah Wilson published *I Quit Sugar: your complete 8 week detox program & cookbook* and launched a website of the same name, which argued that added sugars, especially fructose, were unhealthy (Wilson 2014). In 2014, Damon Gameau premiered his part comedy, part muckraking documentary “That Sugar Film,” in which, following in the footsteps of Morgan Spurlock (writer and director of the 2004 documentary

“Super Size Me”), he consumed for one month the average sugar intake for Australians in the form of “hidden sugars” in foods and beverages perceived to be healthy (Gameau 2014). More focused on juices and sports drinks than on sugary soft drinks, the filmmaker drew attention to the large quantities of sugar consumed by Australians. The film went on to win awards at international film festivals and has led to a blog, an app, a recipe book, a school tool kit, 30 ambassadors, and a 2017 campaign *6 Spoons in June* to raise awareness about sugar consumption (That Sugar Film 2017). The success of these films and books reflected and contributed to consumer concerns about their sugar intake.

### The regulators: policies targeting soft drinks

In addition to campaigns raising awareness of the health harms of sugar consumption and the corporate practices of the soft drink industry that undermine nutrition, public health organisations also advocate for government regulations to curb sugar consumption. The NOURISHING framework identifies a comprehensive set of policy actions across three domains—food environment, food system and behaviour change—that collectively promote healthier eating (Hawkes, Jewell & Allen 2013). A 2015 report from the World Cancer Research Fund (WCRF) used the NOURISHING framework to identify policy actions to reduce sugar consumption and evaluated these policies according to four dimensions: availability, affordability, acceptability and awareness (World Cancer Research Fund 2015). In Table 2, I present the set of policies identified in the NOURISHING framework that influence sugar consumption. I have modified the original table from the 2015 report and added an additional column of “Australian examples” which I have populated with examples from the WCRF’s NOURISHING database as well as the academic literature (World Cancer Research Fund 2015).

Table 2: Policies to reduce sugar consumption: the NOURISHING framework (modified)

|                  | POLICY AREA                                                                                                         | POLICY ACTIONS FOR NUTRITION AND NCDs                                                                                                                                                                                   | AUSTRALIAN EXAMPLE                                                                                                                                                                                                                         |
|------------------|---------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FOOD ENVIRONMENT | <b>N</b> Nutrition label standards and regulations on the use of claims and implied claims on foods                 | Clearly visible 'interpretative' labels can influence people's <b>awareness</b> of sugar in products and have the potential to limit the <b>availability</b> of sugar through product reformulation                     | Health Star Rating front-of-pack label identifies products high in sugar (Jones, Rådholm & Neal 2018; Lawrence, Dickie & Woods 2018)                                                                                                       |
|                  | <b>O</b> Offer healthy foods and set standards in public institutions and other specific settings (e.g. workplaces) | Mandatory standards for food available in schools and hospitals, including restrictions on unhealthy foods containing sugar ( <b>availability</b> ) and measures to improve the <b>acceptability</b> of healthier foods | Canteen guidelines based on traffic light system restrict the availability of sugary drinks (Pettigrew, Pescud & Donovan 2012; Woods et al. 2014)                                                                                          |
|                  | <b>U</b> Use economic tools to address food affordability and purchase incentives                                   | Health-related food taxes targeting sugar which can influence the <b>affordability</b> of sugary products                                                                                                               | Melbourne hospital retailer increases the prices of sugary drinks (Blake et al. 2018)                                                                                                                                                      |
|                  | <b>R</b> Restrict food advertising and other forms of commercial promotion                                          | Mandatory regulation on food advertising to children, including sugary products, to reduce the <b>awareness</b> , <b>acceptability</b> and <b>availability</b> of the sugary products advertised                        | N/A                                                                                                                                                                                                                                        |
|                  | <b>I</b> Improve nutritional quality of the whole food supply                                                       | Voluntary reformulation of food products, including reductions of sugar which can influence the <b>availability</b> of sugary products                                                                                  | Coca-Cola voluntarily reformulates beverages to reduce sugar (Sacks & Robinson 2018)                                                                                                                                                       |
|                  | <b>S</b> Set incentives and rules to create a healthy retail and food service environment                           | Initiatives to increase the <b>availability</b> of healthier foods as alternatives to sugary products, which can influence the <b>acceptability</b> of alternatives                                                     | N/A                                                                                                                                                                                                                                        |
| FOOD SYSTEM      | <b>H</b> Harness the food supply chain and actions across sectors to ensure coherence with health                   | Initiatives that invest in clean water (which can influence the <b>availability</b> of water as an acceptable alternative to sugary drinks)                                                                             | N/A                                                                                                                                                                                                                                        |
| BEHAVIOUR CHANGE | <b>I</b> Inform people about food and nutrition through public awareness                                            | Public awareness campaigns about sugary products, or campaigns promoting alternatives, which can influence people's <b>awareness</b> of sugar in products and increase the <b>acceptability</b> of alternatives         | Dietary Guidelines advise to reduce sugary drink intake; Live Lighter and Rethink Sugary Drink campaigns raise awareness about sugar consumption (Egan et al. 2016; Morley et al. 2014; National Health and Medical Research Council 2013) |
|                  | <b>N</b> Nutrition advice and counselling in health care settings                                                   | Advice in dental care settings about consuming sugary products which can influence people's <b>awareness</b>                                                                                                            | N/A                                                                                                                                                                                                                                        |
|                  | <b>G</b> Give nutrition education and skills                                                                        | Nutrition literacy and food skills programmes to enable people to prepare healthy meals and snacks with no or minimal sugar which can influence people's <b>awareness</b>                                               | N/A                                                                                                                                                                                                                                        |

Table 2 shows the range of potential nutrition policies and regulations that the soft drink industry faces internationally. A global analysis of countries that have implemented policies on sugary drinks identified 72 policy actions in 49 countries (Popkin & Hawkes 2016). The most common actions included: taxing sugary drinks; restrictions on the availability of sugary drinks in schools; restrictions or warnings on advertising of sugary drinks; public awareness campaigns; and front-of-pack labelling (Popkin & Hawkes 2016). Of the ten policy categories identified in the NOURISHING framework, we only see policy action concerning sugary drinks in five areas internationally. As documented in Table 2, the Australian context shows a similar pattern, with action on front-of-pack labelling, restrictions on the availability of sugary drinks in schools and public awareness campaigns. Australia also has voluntary action on sugar reformulation and one hospital retailer that has implemented price changes for sugary drinks. In 2017, the Obesity Policy Coalition and Deakin University's Global Obesity Centre released a consensus statement *Tipping the Scales*, which proposed eight policy actions for the Australian government to take on obesity, including tougher restrictions on advertising to children, reformulation targets and a tax on sugary drinks (Obesity Policy Coalition 2017). The 2018 Australian Select Committee into the Obesity Epidemic made similar recommendations, including mandatory labelling of added sugar on packaged food and drinks and a tax on sugary drinks (Commonwealth of Australia 2018). Despite support from public health organisations, both the Australian Liberal and Labor parties remain opposed to many upstream regulations that would impact the packaged and fast food industry, such as a sugary drink tax (Han 2018b). Internationally, some governments are increasingly willing to regulate food environments to improve public health. Popkin and Hawkes' (2016) findings came from a 2015 analysis; since then several new policies have emerged, in particular focused on the taxation of sugary drinks. As of October 2018, 45 jurisdictions have implemented taxes on sugary drinks (Backholer & Baker 2018).

On the one hand, the existence of these policies speaks to the successful advocacy from public health organisations and researchers in support of these policies. However, many of the implemented policies focus on downstream, behaviour change strategies that influence awareness and acceptability, but do little to alter the availability or affordability of sugary drinks. In Baker et al.'s (2017) analysis of the determinants of political commitment to address obesity in Australia, they identify opposition from the private sector as a key barrier to implementing effective, upstream policies such as a sugary drink tax or

restrictions on the availability of soft drinks in public settings. International analyses of the soft drink industry's opposition to policies that it perceives as threatening reveal the lengths that the industry will go to protect its business interests. Nestle's (2015b) analysis in *Soda Politics* offers the most comprehensive analysis thus far of the soft drink industry's political strategies to mitigate the business risks that obesity presents for its industry. A key distinction that Nestle and other scholars make is that the soft drink industry's response to obesity is multifaceted: the industry pursues an oppositional, "hardball" strategy alongside a more conciliatory, "softball" strategy that positions the industry as "part of the solution" to obesity (Herrick 2009; Nestle 2015b; Scrinis 2016). Nestle's analysis lays the groundwork for further interrogation of the soft drink industry's responses to obesity in other countries and political contexts.

This thesis aims to provide an Australian counterpoint to Nestle's (2015b) analysis of the soft drink industry. It also extends and deepens Nestle's analysis of the "softer" responses to obesity by interrogating three case studies of corporate health promotion strategies. By explicitly drawing on the corporate power and political science literature, it builds on and strengthens the political analysis that Nestle and other food politics scholars offer.

In the following section, I introduce the subject of this thesis: the Australian soft drink industry.

## The Australian soft drink industry

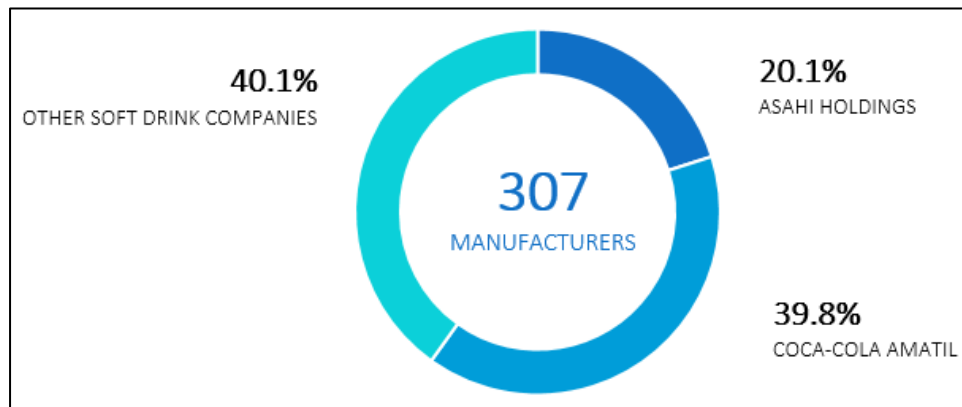
Who is the Australian soft drink industry? Like many industries, the Australian soft drink industry is composed of both large multinational corporations and small domestic companies. It also has a national trade association, the Australian Beverages Council, which lobbies on behalf of the industry. In the following sections, I provide an overview of the Australian soft drink industry and introduce the key actors whose policies and practices are the subject of this thesis.

### Industry overview

As of May 2018, there were 307 businesses engaged in soft drink manufacturing in Australia, which collectively generated \$4.7 billion in revenue, \$593 million in profits and employed 5,349 people in the 2017-2018 financial year (IBISWorld 2018e). The Australian soft drink industry historically comprised a

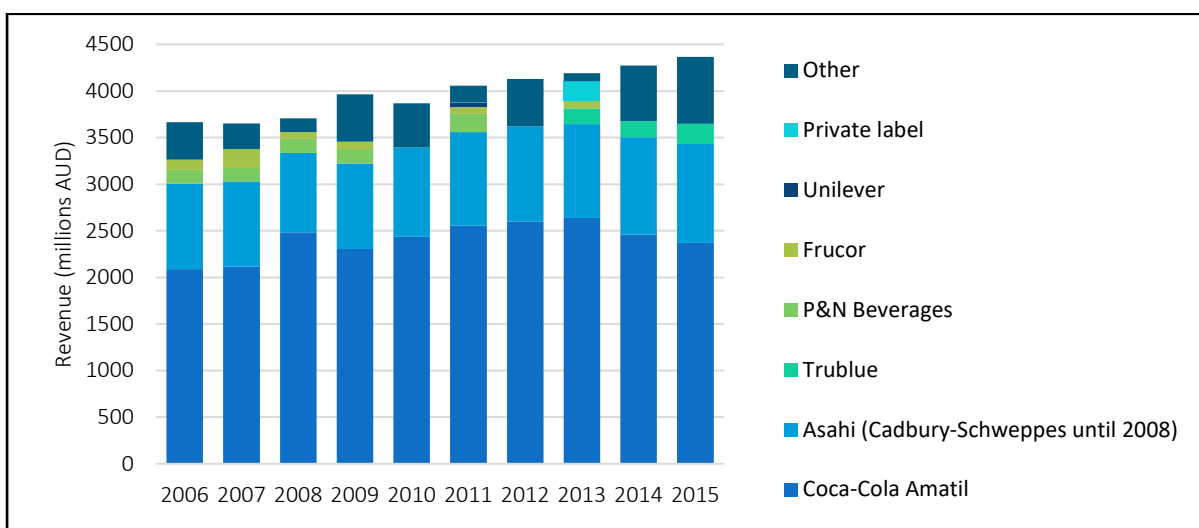
large group of small beverage manufacturers. However, mergers and acquisitions have resulted in a highly concentrated market where two companies, Coca-Cola Amatil and Asahi Holdings, dominate the soft drink market (Figure 2) (IBISWorld 2018e).<sup>3</sup>

Figure 2: Australian soft drink industry market share



While Australian soft drink industry market share has remained relatively consistent for Coca-Cola and Asahi, the size of the Australian soft drink market has grown in the past decade. In Figure 3, I have charted the revenue growth of the largest Australian beverage companies between 2006 and 2015 according to the data released by IBISWorld reports.

Figure 3: Australian soft drink industry revenue 2006-2015



Data for Figure 3 was sourced from IBISWorld reports: IBISWorld (2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015).

<sup>3</sup> The two companies also dominate the bottled water market, with Coca-Cola Amatil controlling 63.8% of the market share and Asahi controlling 16.4%; they are also major players in the Australian fruit juice industry, where Lion Party Limited holds 20.9%, Asahi holds 19.8%, Heinz Wattle's holds 13.8% and Coca-Cola Amatil holds 9.0% of the market share (IBISWorld 2018a, 2018c).

The Australian soft drink industry, like its international counterparts, is characterised by significant portfolio diversification. For example, in addition to carbonated sugary soft drinks such as Coca-Cola, Sprite and Fanta, Coca-Cola Amatil sells the leading Australian bottled water brand (Mount Franklin) as well as fruit juice, fruit drinks, sports drinks, energy drinks, flavoured milk, flavoured water and ready-to-drink teas and coffee (Coca-Cola Amatil 2018b). Moreover, several other leading food and beverage companies have sugary drinks in their Australian portfolios. Figure 4 maps the sugary drink brand ownership of the top 100 food and beverage companies in Australia in 2018.<sup>4</sup>

Figure 4: Sugary drink brand ownership of the largest food and beverage companies in Australia



All of the above companies have a vested interest in the debates about whether and how soft drinks and sugary drinks more generally should be held accountable for obesity. Nonetheless, only Coca-Cola Amatil takes an active role in positioning the soft drink industry as part of the solution to obesity in Australia. Alongside Coca-Cola Amatil, Coca-Cola South Pacific (the regional marketing arm of The Coca-Cola Company) and the Australian Beverages Council (the Australian soft drink industry's trade association)

<sup>4</sup> I identified the beverage companies in this figure from the *Top 100 Australian Food & Drink Companies 2017* report created by Food & Drink Business (2018). I identified the sugary drink brands from the Australian website of each company. The data in this figure was last updated in October 2018.

are also active participants in the public and policy debates about how to respond to obesity. I introduce these stakeholders below. I then briefly discuss their lobbying and campaign financing activities.

### *Coca-Cola Australia*

In this thesis, I refer to the Australian companies affiliated with The Coca-Cola Company as Coca-Cola Australia. Coca-Cola Australia comprises two companies: Coca-Cola Amatil, which manufactures and distributes soft drinks and Coca-Cola South Pacific, which provides marketing and technical services.

Coca-Cola Amatil is the largest soft drink manufacturer in Australia. On its corporate website (ccamatil.com), the company discusses its portfolio and provides information about the company to investors and shareholders. Coca-Cola Amatil has the rights to manufacture and distribute Coca-Cola trademarked products, and the parent company (The Coca-Cola Company) has a majority share in Coca-Cola Amatil (IBISWorld 2018d). In addition to its non-alcoholic beverages portfolio, it also has a large spirits and beer portfolio and owns SPC Ardmona, one of the largest producers of packaged fruits and vegetables in Australia (Coca-Cola Amatil 2018b; SPC 2018).<sup>5</sup> Coca-Cola Amatil also operates in New Zealand, Indonesia, Papua New Guinea and Fiji (Coca-Cola Amatil 2016). The company history of Coca-Cola Amatil in Australia goes back to the creation of the Australian branch of the British American Tobacco company in 1904; in 1989 the company divested from its tobacco businesses and changed its name from Amatil Limited to Coca-Cola Amatil Limited (IBISWorld 2018d).

Coca-Cola South Pacific is the regional marketing arm of The Coca-Cola Company and is wholly owned by the parent company (IBISWorld 2018b). It develops and implements the company's marketing campaigns in Australia (such as *Share a Coke* and the launch of Coke Zero). It also runs the company's local consumer-facing website Coca-Cola Journey (coca-colajourney.com.au), which the company describes as a "dynamic digital magazine," "brand journalism" and a "media platform" (The Coca-Cola Company 2018). The content on the Australian Coca-Cola Journey website is a combination of local and global content, a pattern seen across other Coca-Cola Journey websites internationally. As of 2018, the

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<sup>5</sup> At the end of 2018, Coca-Cola Amatil revealed plans to sell SPC (Whitehead 2018).

company listed a Coca-Cola Journey online magazine in 58 locations (The Coca-Cola Company 2018).

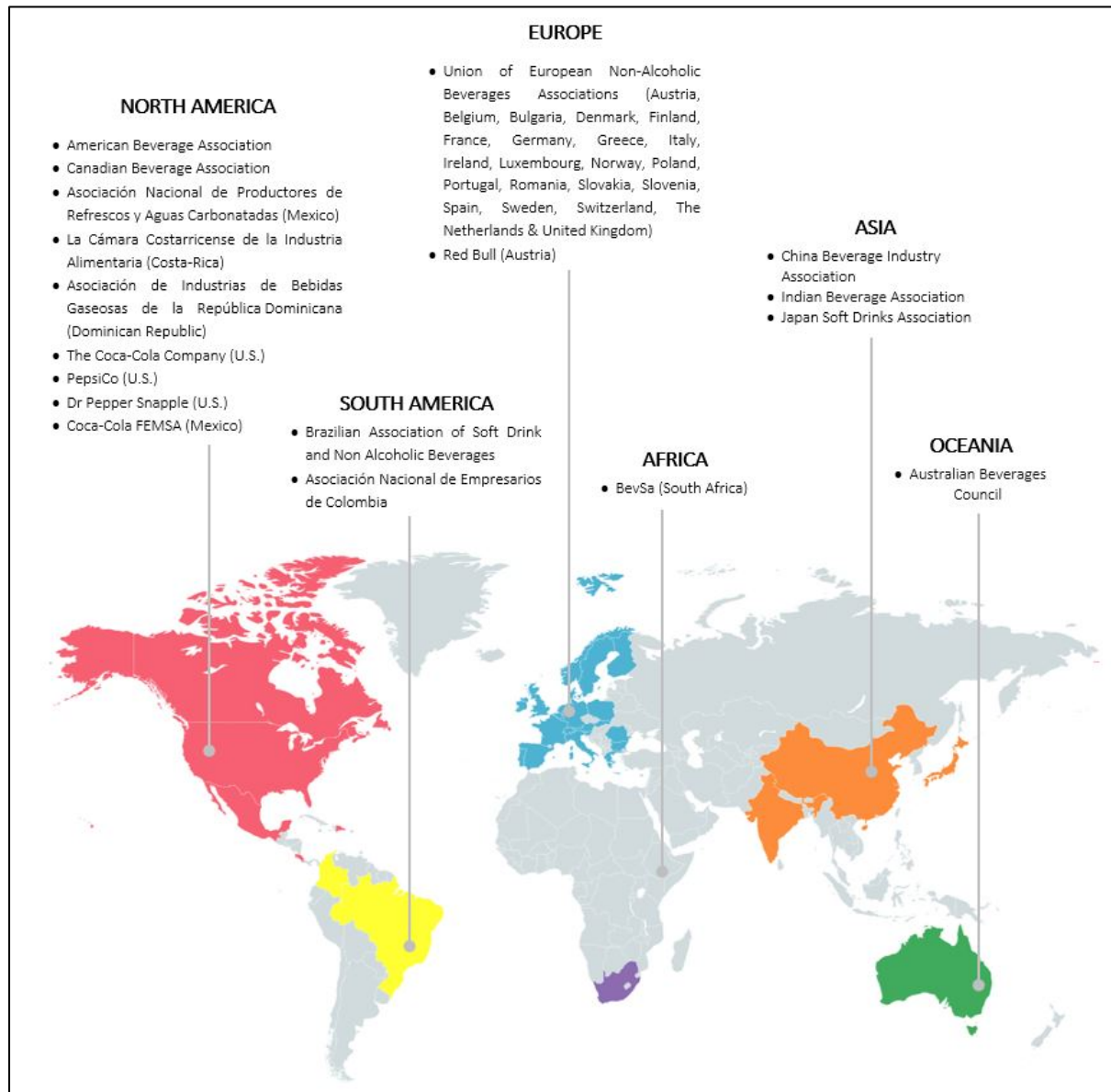
Figure 5: Coca-Cola Journey global locations (The Coca-Cola Company 2018)<sup>7</sup>

*The Australian Beverages Council*

<sup>6</sup> Coca-Cola Journey is also available in Africa and the Middle East, but no specific countries are identified for these regions.

soft drink companies (International Council of Beverage Associations 2017). ICBA membership is visualised in Figure 6.

Figure 6: Members of the International Council of Beverages Associations<sup>8</sup>



### *Soft drink industry political activity in Australia*

Although oppositional political strategies (such as lobbying or campaign financing) are not the focus of this thesis, awareness of them helps to paint a more complete picture of the range of corporate political

<sup>8</sup> Map created in February 2017 with Mapchart software, available at <https://mapchart.net/world.html>.

strategies pursued by the Australian soft drink industry. Below, I briefly summarise the publicly available information on the lobbying and political contributions of the Australian soft drink industry.

In addition to in-house lobbyists, the Australian Beverages Council (ABC) also employs two lobbying firms in Australia: Parker & Partners (which represents other food and pharmaceutical companies amongst other businesses) and opr Health (which represents pharmaceutical and health-oriented businesses) (Australian Government Register of Lobbyists 2018). Likewise, Coca-Cola South Pacific employs the lobbying firm Endeavour Consulting Group, which includes three former government representatives with strong connections to the liberal party (Australian Government Register of Lobbyists 2018; Endeavour Consulting Group 2018). In Chapter 6, I will elaborate on some of the lobbying activities of the Australian soft drink industry (see also Appendix 7 *The Australian Beverages Council's engagement with key stakeholders*).

In its annual and sustainability reports, Coca-Cola Amatil states that the company donates equally to both the Labor and Liberal parties of Australia.

*CCA supports Australia's democratic process in a bipartisan way and donates even-handedly to the major political parties in Australia - the Liberal/National Party coalition and the Australian Labor Party - in the Federal arena. All donations are disclosed on [www.aec.gov.au](http://www.aec.gov.au) (Coca-Cola Amatil 2013).*

As part of my scoping study of the Australian soft drink industry's political activities, I analysed Coca-Cola Amatil's filings to the Australian Electoral Commission as well as the financial disclosures of leading Australian political parties. These showed that while the company did not always donate the same amount to each party every year, its cumulative donations over the past 17 years were relatively equal for both major parties. Between 1998 and 2015, Coca-Cola Amatil donated \$1,261,992 to the Liberal Party of Australia, \$1,275,248 to the Australian Labor Party, \$130,000 to the National Party of Australia and \$40,000 to the Australian Democrats (Appendix 1). Further, the company did not always fully report its donations (See Appendix 1 *Coca-Cola Amatil's political donations* for more details).

## Thesis overview

In **Chapter 2**, I discuss the bodies of scholarship informing this thesis. I first explore the critical public health nutrition literature that examines how the packaged food and beverage industry is responding to obesity and the nutritional and political consequences of these responses. I then introduce the corporate power scholarship and explore the insights it can offer this research topic. Lastly, I propose a modification to the corporate power framework to account for differences in how power manifests in the soft drink industry's political strategies.

In **Chapter 3**, I elaborate on the research design of the thesis. I discuss my justification for a case study design and my selection of three cases. I describe my analytical approach and the sources and types of data collected for this research project.

In **Chapter 4**, I present my first case study: *Corporate nutrition education: using calories to divert attention from sugar*. This chapter analyses the Australian soft drink industry's communications about nutrition, calories and soft drinks, interrogating how the industry interprets and represents the relationship between soft drinks and obesity.

In **Chapter 5**, I present my second case study: *Soft drink reformulation: a profitable solution to obesity*. This chapter analyses how Coca-Cola Australia promotes product reformulation as part of the solution to obesity and considers the other business and political objectives that these reformulated beverages are addressing.

In **Chapter 6**, I present my third case study: *Corporate self-regulation: a political strategy to pre-empt regulation*. This chapter analyses how and why the Australian Beverages Council developed and promoted self-regulation as a solution to obesity, interrogating the strategic aspect of self-regulation that seeks to influence the political environment.

In **Chapter 7**, I provide a broad discussion and analysis of the key findings from my three case studies and their shared political dimensions and consequences. I also discuss and interpret my findings in light

of the research analysing corporate political power (introduced in Chapter 2) and the insights this thesis offers for research into the political power and influence of the packaged food and beverage industry.

In **Chapter 8**, I summarise the key contributions of this thesis and reflect on my findings in light of the current regulatory and political climate. I also discuss some of the limitations of the thesis as well as directions for future research.

## 2. Literature Review

### Corporate health promotion and corporate power

*Praising companies for “doing the right thing” only encourages more food-industry PR (or “nutriwashing”), which in turn results in further mollifying of policy makers and critics.*

—Simon (2006, p. 301)

*We can speculate as to why there is such a reluctance to engage with power. But a major reason, we believe, is that for a long-time power, along with emotion and spiritual experience, has been relegated to the unscientific, the non-rational, the pre-modern, the backward.... It is time social scientists, natural scientists, and humanists, as well as those in applied fields such as business and engineering, study power, question power, and thereby challenge power.*

—Fuchs et al. (2016, p. 306)

## Introduction

In Chapter 1, I provided an overview of how obesity became a political issue for the soft drink industry and the various market and regulatory threats that the industry faces. Here, I discuss the body of scholarship interrogating the soft drink industry's responses to obesity and the political dimensions and consequences of these responses. I also discuss the scholarly literature examining the political power and influence of the packaged food and beverage industry in the food system.

In the first section, I discuss the body of scholarship interrogating the soft drink industry's responses to obesity. I differentiate between an oppositional response to obesity that seeks to confuse the science and block effective policies and a conciliatory response that positions the industry as "part of the solution" to obesity. I also summarise the different political strategies used in each approach. This section introduces the subject of this thesis: the soft drink industry's political strategies to position itself as part of the solution to obesity. In the second section, I discuss the literature that analyses the soft drink industry's strategies to position itself as part of the solution to obesity. I differentiate between two research foci: scholarship analysing the nutritional consequences of corporate health promotion and scholarship analysing the political consequences of corporate health promotion. I then identify some exemplary approaches to analysing the politics of corporate health promotion and the methods and analytical approaches that they employ. This section introduces the key body of knowledge to which this thesis contributes: literature analysing the political dimensions and consequences of corporate health promotion.

In the third section, I introduce the concept of *corporate power*. I discuss some of the ways that corporate power has been analysed in the food system and the relevance of this literature to my investigation of corporate health promotion. I then introduce Fuchs' (2007) corporate power framework. I argue that Fuchs' framework can offer useful insights into my analysis of the political dimensions of corporate health promotion. I also propose a modification of the framework to help account for and understand differences in how the soft drink industry responds to obesity.

## A Bifurcated response to obesity

The response of the packaged food and beverage industry to obesity is complex and multifaceted. Several scholars differentiate between two overarching response strategies (Nestle 2015b; Nixon et al. 2015; Scrinis 2016). One strategy is oppositional: it seeks to deny, resist and undermine public health research and policies that it perceives as threatening to business interests. The second, parallel strategy is more conciliatory: it seeks to present the industry as “part of the solution” to obesity. The packaged food and beverage industry pursues both of these strategies simultaneously, albeit the “part of the solution” strategy is a more recent phenomenon. July 2003 marks the emergence of the industry’s “part of the solution” strategy with Kraft Foods publicly announcing “global initiatives to help address [the] rise in obesity” in the United States (Darmon, Fitzpatrick & Bronstein 2008).

### Oppositional strategies

Research analysing the packaged food and beverage industry’s oppositional responses to obesity documents a vast range of political strategies used to protect the industry’s interests. Nestle’s (2015b) analysis in *Soda Politics* of the soft drink industry’s responses to obesity builds on her earlier research in *Food Politics* (2002), where she examines the political influence of the food industry in nutrition research and policy. Both studies draw on her experience in the nutrition policy community in the United States, and in *Food Politics* she provides invaluable behind the scenes evidence and insights into the political power of the American food industry. Nestle’s work is part of a growing body of international and interdisciplinary literature that not only investigates the market strategies corporations use to promote unhealthy commodities but also the political strategies they use to protect their business interests (Buse, Tanaka & Hawkes 2017; Freudenberg 2014; Kickbusch, Allen & Franz 2016; Mialon, Swinburn & Sacks 2015; Moodie 2016; Moodie et al. 2013; Stuckler et al. 2012; Stuckler, Ruskin & McKee 2017; Wüist 2010).

Some of these studies seek to categorise the different strategies (Brownell & Warner 2009; Mialon, Swinburn & Sacks 2015; Moodie et al. 2013; Nestle 2015b; Scott, Hawkins & Knai 2016; Wüist 2011); other studies provide in-depth case studies of the political drivers and consequences of one or more tactics (Kearns, Glantz & Schmidt 2015; Kearns, Schmidt & Glantz 2016; Miller & Harkins 2010; Mozaffarian 2017; Serôdio, McKee & Stuckler 2018; Tselengidis & Östergren 2018). Collectively, this

body of scholarship illuminates the packaged food and beverage industry's more overt and confrontational efforts to shape the political environment in its favour. In Table 3, I list the oppositional political tactics identified in the literature and, where possible, I provide illustrative examples of the soft drink industry's use of the strategy.

*Table 3: Oppositional political strategies of the packaged food and beverage industry*

| OPPOSITIONAL STRATEGY                | RESEARCH                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ILLUSTRATIVE EXAMPLE                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Influence and distort science</b> | Bailin, Goldman and Phartiyal (2014); Bes-Rastrollo et al. (2013); Gertner and Rifkin (2017); Goldman et al. (2014); Karnani, McFerran and Mukhopadhyay (2014); Kearns, Glantz and Schmidt (2015); Kearns, Schmidt and Glantz (2016); Lesser et al. (2007); Mandrioli, Kearns and Bero (2016); Moodie et al. (2013); Mozaffarian (2017); Nestle (2015a, 2015b, 2016a); Serôdio, McKee and Stuckler (2018); Simon (2006); Taubes and Couzens (2012); Wiist (2011) | Coca-Cola funded the Global Energy Balance Network to conduct and publish research showing that exercise, not dietary change, is the best solution to obesity (Gertner & Rifkin 2017).<br><br>Coca-Cola funded the "Beverage Institute for Health and Wellness" and "Exercise is Medicine," which promote the importance of energy balance (Nestle 2015b). |
| <b>Lobbying</b>                      | Boseley and McMahon (2003); Cannon (2004); Cullerton et al. (2016); Goldman et al. (2014); Ludwig and Nestle (2008); Miller and Harkins (2010); Moodie et al. (2013); Nestle (2013, 2015b); Tselengidis and Östergren (2018); Waxman (2004)                                                                                                                                                                                                                      | In 2013, the American soft drink industry (Coca-Cola, PepsiCo and the American Beverage Association) spent \$10.9 million dollars lobbying the US government (Nestle 2015b).                                                                                                                                                                               |
| <b>Campaign financing</b>            | Freudenberg (2014); Goldman et al. (2014); Nestle (2013, 2015b); Simon (2006)                                                                                                                                                                                                                                                                                                                                                                                    | In 2012, the American soft drink industry (Coca-Cola, PepsiCo and the American Beverage Association) gave \$5.5 million in US campaign contributions (Nestle 2015b).                                                                                                                                                                                       |
| <b>Revolving door</b>                | Brownell and Warner (2009); Collin et al. (2017); Freudenberg (2014); Goldman et al. (2014); Gómez (2018); Gornall (2015a); Madureira Lima and Galea (2018); Miller and Harkins (2010); Nestle (2015b); Wiist (2011); Williams (2015)                                                                                                                                                                                                                            | PepsiCo lobbyist Julia Sessoms was formerly a legislative aide to democratic Senator Edward Kennedy (Nestle 2015b).<br><br>PepsiCo hired Derek Yach, former director of NCDs at the WHO, to be Senior Vice President of Global Health Policy (Nestle 2015b).                                                                                               |
| <b>Astroturf</b>                     | Bailin, Goldman and Phartiyal (2014); Brownell and Warner (2009); Capewell and Lloyd-Williams (2018); Dorfman et al. (2012); Goldman et al. (2014); Mejia et al. (2014); Miller and Harkins (2010); Nestle (2015b); Nixon et al. (2015); Simon (2006); Wiist (2011); Yanamadala et al. (2012); Zoller (2016)                                                                                                                                                     | The American soft drink industry funded the "Community Coalition Against Beverage Taxes" to oppose a sugary drink tax in Richmond, California (Mejia et al. 2014).                                                                                                                                                                                         |

|                                                           |                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                      |
|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Criticise public health policies</b>                   | Brownell et al. (2010); Brownell and Warner (2009); Dorfman et al. (2012); Elliott-Green et al. (2016); Gertner and Rifkin (2017); Henderson et al. (2009); Mejia et al. (2014); Nestle (2015b); Nixon et al. (2015); Simon (2006); Tselengidis and Östergren (2018); Wiist (2011); Zoller (2016) | The EU lobby group FoodDrinkTax portrayed a sugar tax as a “nanny state” intervention that limits “personal freedom” (Tselengidis & Östergren 2018).                                                 |
| <b>Litigation</b>                                         | Backholer and Martin (2017); Capewell and Lloyd-Williams (2018); Freudenberg (2005); Madureira Lima and Galea (2018)                                                                                                                                                                              | The American soft drink industry filed a lawsuit opposing the Philadelphia sugary drink tax (Huehnergarth 2015).                                                                                     |
| <b>Fragment and discredit public health professionals</b> | Moodie et al. (2013); Simon (2006); Wiist (2011)                                                                                                                                                                                                                                                  | The Center for Consumer Freedom attacked public health organisations and nutritionists including Michael Jacobson (of the Center for Science in the Public Interest) and Marion Nestle (Simon 2006). |
| <b>Threaten job or investment losses</b>                  | Bødker et al. (2015); Freudenberg (2014); Mialon et al. (2017); Mialon et al. (2016c); Moss (2013); Roache and Gostin (2017); Tselengidis and Östergren (2018)                                                                                                                                    | The EU soft drink association (UNESDA) argued that the UK sugary drink tax would lead to job losses (Tselengidis & Östergren 2018).                                                                  |

As the above table demonstrates, a significant body of research analyses the breadth of oppositional strategies used by the packaged food and beverage industry to protect its business interests. One strategy is to attack, distort or undermine the body of scientific evidence linking consumption of sugary drinks (or other foods and nutrients) to obesity. This includes funding research that does not show a relationship between sugary drinks and obesity and disseminating information about the importance of energy balance and exercise in addressing obesity. A second dimension of the packaged food and beverage industry’s oppositional strategies focuses on policy making and works to block or undermine public health policies that it perceives as threatening to its business interests. In *Soda Politics*, Nestle (2015b) documents examples of the following corporate strategies: lobbying policy makers to influence the development of nutrition policies, using campaign donations to influence voting, exercising influence through the “revolving door”<sup>9</sup>, funding “astroturf” groups to oppose policies<sup>10</sup>, criticising public health policies and using litigation to oppose unwanted policies. Lastly, a third dimension of the packaged food and beverage industry’s oppositional strategy works to fragment and discredit its opposition within the public health nutrition community. The studies listed in Table 3 of these oppositional political strategies

<sup>9</sup> The revolving door refers to the practice whereby former government employees work for the private sector and vice versa; concerns are raised about the potential influence this provides industry in political decision making (Williams 2015).

<sup>10</sup> The term “astro-turf” refers to industry-funded organisations that pose as genuine community (grassroots) organisations to disguise the role of the private sector in generating support or opposition to an issue (Nestle 2015b).

overwhelmingly conclude that their political objectives and consequences run counter to public health interests.

Public health researchers draw parallels between the soft drink industry's oppositional responses to obesity and the tobacco industry's efforts to deny evidence and oppose public health policies (Brownell & Warner 2009; Capewell & Lloyd-Williams 2018; Chopra & Darnton-Hill 2004). Concern about the role of the private sector in causing public health problems and blocking effective responses to them has led some scholars to propose the concept of "industrial epidemics" caused by the business practices of powerful corporations (Jahiel & Babor 2007; Jahiel 2008). Building on epidemiological models, the concept frames the private sector as a vector that spreads disease in the same way that that mosquitos are a vector for the malaria virus. This has sparked calls for a critical scrutiny and investigation of the "commercial determinants of health" (Buse, Tanaka & Hawkes 2017; Kickbusch 2012; Kickbusch, Allen & Franz 2016; McKee & Stuckler 2018) and the "effect of corporate behaviour on health" (Moodie 2016; Moodie et al. 2013; Stuckler et al. 2012; Williams 2015). A key premise underpinning this research is that the commercial interests of the private sector run counter to public health interests, a perspective epitomised in the title of Wiist's (2010) book *The Bottom Line or Public Health*.

The above literature analysing the packaged food and beverage industry's oppositional responses to obesity informs my understanding of the soft drink industry's political motives and strategies. These studies are important for generating a complete picture of the packaged food and beverage industry's responses to obesity. We can observe that there is clear consensus in the literature that these oppositional strategies conflict with public health interests, and public health stakeholders almost unanimously perceive these oppositional strategies as negative. The absence of corporate transparency about these strategies and the lengths companies go to hide these political strategies from public view demonstrate the industry's awareness that these strategies reflect poorly on its public image. The consensus about the negative intentions and consequences of the packaged food and beverage industry's oppositional strategies throws the debate about the relative harms or merits of the industry's conciliatory strategies into stark relief. In the following section, I introduce the literature analysing the soft drink industry's conciliatory responses to obesity.

## Conciliatory strategies

In addition to the above oppositional strategies, public health researchers are increasingly investigating the packaged food and beverage industry's conciliatory responses to obesity that seek to position the industry as "part of the solution." In *Soda Politics*, Nestle (2015b) refers to these strategies as the industry's efforts to demonstrate its "devotion to health and wellness" and "CSR strategy #1: promote health." These health promoting strategies are variously referred to as: "public health CSR" (Jane & Gibson 2018); "CSR health-related activities" (Monachino & Moreira 2014); the "strategic appropriation of health by CSR" (Herrick 2009); and corporate "health and wellness programs" or "corporate health promotion" (Wiist 2011). Following Wiist (2011), I refer to these strategies as *corporate health promotion* in this thesis. While corporate health promotion strategies have a shorter history than their oppositional counterparts, a substantial body of literature has emerged analysing their nutritional and political consequences.

The spectrum of industry strategies that fall under the "part of the solution" umbrella is broad, and analyses of these strategies differ in what they include and exclude from this group. In Table 4, I list the "part of the solution" strategies identified in the literature. The categories in Table 4 broadly correspond with the five commitments that the International Food and Beverage Alliance (IFBA) made to the WHO in 2008: product reformulation; nutrition labelling and information; advertising to children; educational and physical activity programs; and public-private partnerships (International Food and Beverage Alliance 2009). I also include two categories not part of the IFBA's commitment that are analysed in the literature: the development of self-regulation and the voluntary removal of soft drinks from schools. Like Table 3, I include where possible an illustrative example of the soft drink industry's use of the strategy.

Table 4: Conciliatory political strategies of the packaged food and beverage industry

| CONCILIATORY STRATEGY        | RESEARCH                                                                                                                                                                                                                                                                                                                   | ILLUSTRATIVE EXAMPLES                                                                                                                                                       |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Product reformulation</b> | Clapp and Scrinis (2017); Herrick (2009); Kersh (2009); Monteiro and Cannon (2012); Nestle (2015b); Sacks and Robinson (2018); Savio et al. (2013); Scott, Hawkins and Knai (2016); Scott and Nixon (2017); Scrinis (2016); Scrinis and Monteiro (2018); Traill et al. (2012); Yach et al. (2010); Young and Nestle (2003) | PepsiCo pledged to reduce added sugar in beverages by 25% by 2020 (Yach et al. 2010).<br><br>Coca-Cola adds vitamins and minerals to its Vitaminwater brand (Scrinis 2016). |

|                                       |                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                         |
|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Nutrition labelling</b>            | Bix et al. (2015); Carter et al. (2013); Herrick (2009); Lawrence, Dickie and Woods (2018); Sacks and Robinson (2018); Scrinis and Parker (2016); Yach et al. (2010)                                                                                                                            | PepsiCo pledged to display calorie count and key nutrients (Yach et al. 2010)                                                                                                                           |
| <b>Restrict marketing to children</b> | Brinsden and Lobstein (2013); Caraher, Landon and Dalmeny (2006); Hawkes and Harris (2011); Hebden et al. (2010); King et al. (2011); Kunkel et al. (2014); Nestle (2015b); Ronit and Jensen (2014); Yach et al. (2010)                                                                         | The Australian Beverages Council, the Union of European Beverage Associations and the International Council of Beverage Associations developed pledges on marketing to children (Hawkes & Harris 2011). |
| <b>Nutrition education</b>            | Dorfman et al. (2012); Gertner and Rifkin (2017); Herrick (2009); Nestle (2015b); Powell (2014); Powell and Gard (2014); Richards et al. (2015); Simon (2006)                                                                                                                                   | Coca-Cola sponsored <i>Energy Balance 101</i> in the US which taught children that there are no “good” or “bad” foods (Powell & Gard 2014).                                                             |
| <b>Promote physical activity</b>      | Dorfman et al. (2012); Gomez et al. (2011); Herrick (2009); Kelly et al. (2011c); Koplan and Brownell (2010); Ludwig and Nestle (2008); Nestle (2015b); Powell (2014); Powell and Gard (2014); Simon (2006)                                                                                     | Coca-Cola sponsored physical activity programs in Mexican schools (Gomez et al. 2011)                                                                                                                   |
| <b>Public-private partnerships</b>    | Bryden et al. (2013); Durand et al. (2015); Elliott et al. (2014); Gilmore, Savell and Collin (2011); Jones et al. (2016); Ken (2014); Mello, Pomeranz and Moran (2008); Nestle (2015b); Panjwani and Caraher (2014)                                                                            | Coca-Cola, PepsiCo and Cadbury-Schweppes partnered with the Clinton Foundation and the American Heart association to develop the Alliance for a Healthier Generation (Mello, Pomeranz & Moran 2008).    |
| <b>Self-regulation</b>                | Caraher, Landon and Dalmeny (2006); Hawkes and Harris (2011); Hebden et al. (2010); Jensen and Ronit (2015a, 2015b); Mello, Pomeranz and Moran (2008); Nestle (2015b); Reeve (2013); Ronit and Jensen (2014); Sacks et al. (2015); Sacks and Robinson (2018); Sharma, Teret and Brownell (2010) | The Australian Food and Grocery Council (of which Coca-Cola is a member) developed a voluntary front-of-pack labelling code of practice (Carter et al. 2013).                                           |
| <b>Remove from schools</b>            | Blanding (2011); Hawkes (2010); Mello, Pomeranz and Moran (2008); Nestle (2015b)                                                                                                                                                                                                                | The Alliance for a Healthier Generation (including Coca-Cola, PepsiCo and Cadbury-Schweppes) voluntarily removed sugary soft drinks from American primary schools (Mello, Pomeranz & Moran 2008).       |

Since 2008, when the International Food and Beverage Alliance announced its five commitments to the WHO, there has been a proliferation of corporate health promotion activities within each category.

Product reformulation initiatives include both those to reduce “negative nutrients” (such as salt, sugar, fat and energy) and increase “positive nutrients” (such as fibre, vitamins, minerals, fruit, vegetables) (Scrinis & Monteiro 2018). Nutrition labelling initiatives predominantly focus on front-of-pack labels, such as calorie declarations, nutrient intake values (such as the Australian Daily Intake Guide) or industry logos (such as the “Smart Choices” logo in the US) (Bix et al. 2015; Herrick 2009; Scrinis & Parker 2016).

Restrictions on marketing to children differ in their definitions of children (usually under 12 years of age), their definition of marketing (historically limited to television but increasingly also websites and social media) and the types of foods subject to restrictions (unlike initiatives from the packaged food and beverage industry, soft drink industry initiatives cover their entire portfolio) (Hawkes & Harris 2011; King et al. 2011). The soft drink industry's nutrition education initiatives include school curriculum (such as Coca-Cola's *Energy Balance 101* in the United States), websites (such as Coca-Cola's "Exercise is Medicine") as well as public campaigns (such as Coca-Cola's "Coming Together" campaign which reiterates the message that "all calories count") (Nestle 2015b; Powell & Gard 2014). The industry's promotion of physical education includes educational elements similar to its nutrition education initiatives as well as the sponsorship of children's sports (Kelly et al. 2011c). Public-private partnerships frequently include both public health nutrition and government stakeholders (such as the Public Health Responsibility Deal in the UK and the Healthy Food Partnership in Australia) (Jones et al. 2016; Panjwani & Caraher 2014).

In addition to the IFBA's five commitments, the packaged food and beverage industry uses two additional corporate health promotion strategies: it develops self-regulation and it voluntarily restricts the availability of soft drinks in schools. Much of the research on industry self-regulation has focused on commitments on marketing to children. There are relatively few industry initiatives to restrict the availability of packaged foods and beverages in public places. The soft drink industry's initiatives to restrict the availability of some soft drinks in schools are the exception to this pattern, albeit they manifest unevenly globally (Hawkes 2010). To an extent, this reflects the focus on childhood obesity at the time when many of these initiatives emerged (Baker et al. 2017).

In contrast to the public health community's response to the packaged food and beverage industry's oppositional strategies, the industry's strategies to position itself as "part of the solution" have fostered greater ambivalence. Stuckler and Nestle (2012) note that former UN secretary-general Ban Ki Moon and the UK Health Minister supported industry efforts to be "more responsible." Other government and public health stakeholders have made similar statements about the need for public-private partnerships including: the public health commissioner of the EU, former first lady Michelle Obama, the Institute of Medicine, the WHO, the Pan American Health Organization and the Canadian Institute for Health

Information (Hawkes & Buse 2011; Kraak & Story 2010). In contrast, other public health advocates and organisations remain more sceptical. Some argue that corporate health promotion is a “smokescreen” that provides public relations coverage for the industry’s continued marketing of unhealthy foods and beverages while resulting in minimal public health progress (Gomez et al. 2011; Kunkel et al. 2014; Moodie et al. 2013). Some scholars go further still and argue that corporate health promotion serves the same political purposes as its oppositional strategies to confuse the science, shift the blame for obesity away from the industry and undermine public health legislation (Clapp & Scrinis 2017; Nestle 2015b; Scott, Hawkins & Knai 2016). Moreover, these perspectives have also shifted. While the WHO outlined a range of “recommended actions” for the private sector in its 2004 *Global Strategy on Diet, physical activity and Health* and referred to the private sector as “partners” in its 2008-2013 *Action Plan for Noncommunicable Diseases*, its 2016 report on *Fiscal policies for diet and the prevention of noncommunicable diseases* focused instead on strategies to counteract industry opposition to public health policies (World Health Organization 2004, 2008, 2016).

This contestation over the potential benefits and consequences of corporate health promotion has led to a debate within the public health nutrition community over whether and how to engage with the private sector in pursuit of solutions to obesity. Stuckler and Nestle (2012) outline three approaches: a laissez-fair, industry-led option with minimal government intervention action; a collaborative option using public-private partnerships between industry, government and public health organisations; and a command and control option using mandatory, government-led regulation of the food system. These three approaches represent fundamentally different perspectives on the capacity of the private sector to contribute to meaningful and effective public health solutions to obesity. The response of Australian government leaders and health organisations to the Australian soft drink industry’s 2018 announcement of a 20 percent sugar reduction target vividly illustrate the different perspectives in this debate. Health minister Greg Hunt (of the Liberal Party) supported the move, stating that, “if you can work with the industry and get an outcome such as this, you get exactly the outcome we all want: healthier products, healthier children, and healthier adults” (Dalzell 2018). In contrast, health organisations were sceptical of the pledge, with the president of the Australian Medical Association stating that, “this is an attempt to try and perhaps muddy the waters in terms of creating a...diversion from the real issue” (Dalzell 2018). At the

heart of this debate is the question of how to weigh up the relative harms and benefits of the packaged food and beverage industry's actions.

As discussed in the previous section, a rich body of literature has helped us to understand the harms of the packaged food and beverage industry's oppositional political strategies. A similar understanding of the political dimensions and consequences of corporate health promotion is needed to inform the debate about whether and how to engage with the soft drink industry. Many studies of corporate health promotion listed in Table 4 are conducted in the United States or take an international perspective. There is an emerging body of Australian literature that examines: industry front-of-pack labelling initiatives (Carter et al. 2013; Jones, Rådholm & Neal 2018; Lawrence, Dickie & Woods 2018; Scrinis & Parker 2016); voluntary restrictions on marketing to children (Hebden et al. 2010; King et al. 2011; Reeve 2013; Sacks et al. 2015); industry sponsorship of children's sport (Kelly 2012; Kelly et al. 2011a; Kelly et al. 2011b; Kelly et al. 2011c); and public-private partnerships (Elliott et al. 2014; Jones et al. 2016). There is a growing body of scholarship examining the self-regulatory commitments and pledges of the Australian food industry, however much of this literature focuses on the industry's commitments to restrict marketing to children (Hebden et al. 2010; King et al. 2011; Magnusson & Reeve 2014; Reeve 2013; Sacks et al. 2015). Thus far, there is little Australian scholarship about the packaged food and beverage industry's voluntary product reformulation initiatives, nutrition education or school-based initiatives. As discussed in Chapter 1, a key aim of this thesis is to investigate the soft drink industry's corporate health promotion strategies in Australia. In the following section, I discuss some of the international and Australian scholarship that informs and guides my analysis of the Australian soft drink industry's corporate health promotion strategies.

## **Analysing corporate health promotion**

Most evaluations of corporate health promotion focus on two metrics: the extent of its nutritional impact on population health and/or the political benefits it offers the packaged food and beverage industry. Both lines of research offer important insights into the motivations for and consequences of corporate health promotion. In the following sections, I first discuss the research analysing the nutritional dimensions and

limitations of corporate health promotion and then discuss research on the political dimensions. Lastly, I discuss different approaches to analysing the politics of corporate health promotion.

## The nutritional dimensions of corporate health promotion

According to the packaged food and beverage industry, its corporate health promotion interventions generate positive health outcomes and contribute towards the reduction of obesity and other dietary and nutritional health concerns (Nixon et al. 2015). Public health nutrition research of corporate health promotion offers a more complex narrative. While public health researchers acknowledge that corporate health promotion is an improvement on the status quo, they conclude that the initiatives are weaker alternatives to proposed public health policies (Mello, Pomeranz & Moran 2008; Nestle 2015b). Most evaluations of corporate health promotion strategies focus on specific commitments or programs and compare them to evidence-based, public health nutrition policies, such as those proposed in the NOURISHING Framework from the World Cancer Research Fund or the WHO's proposed fiscal policies to tackle NCDs (Hawkes, Jewell & Allen 2013; World Cancer Research Fund 2015; World Health Organization 2016).<sup>11</sup> Public health researchers have identified several limitations of the corporate health promotion strategies of the packaged food and beverage industry. These limitations include: weak targets and loopholes (especially permissive interpretations of the terms “children” and “marketing”) (Hawkes & Harris 2011); the use of industry-friendly nutrient profiling systems (Drewnowski 2017); the inconsistent implementation of initiatives (Scrinis 2016); and the question of whether physical activity promotion undermines the message of dietary change (Nestle 2015b). I discuss these nutritional limitations below.

One limitation of many corporate health promotion initiatives is that weak targets or loopholes result in minimal or slow changes to the status quo. One of the soft drink industry's earliest corporate health promotion initiatives was the development of school beverage guidelines in the United States. While these initiatives received praise at the time, subsequent research has shown that the guidelines in primary schools resulted in little change (as there were already few soft drinks sold), and in high schools the guidelines were so permissive that they too resulted in little overall change (for instance sugary sports

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<sup>11</sup> See Chapter 1, *The Regulators*, for a summary of proposed policies to reduce sugar consumption in the NOURISHING framework.

drinks continued to be sold) (Mello, Pomeranz & Moran 2008; Nestle 2015b). Product reformulation initiatives have also faced criticisms for moderate targets or for only focusing on a portion of a company's total portfolio (Scrinis 2016). Moreover, some researchers argue that product reformulation initiatives focus on the least healthy, ultra-processed products and question whether the reformulated products are markedly healthier (Monteiro & Cannon 2012; Scrinis 2016; Scrinis & Monteiro 2018). Other concerns are raised about the ingredients used to replace “negative nutrients,” such as the potential health harms of artificial sweeteners (Scrinis 2016; Scrinis & Monteiro 2018; Suez et al. 2014; Yang 2010). Public concerns about artificial sweeteners present challenges for the soft drink industry's product reformulation initiatives, an issue that I will elaborate on in my case study in Chapter 5.

Similar concerns have been raised about the food industry's permissive interpretation of “marketing” and “child” or “child audience,” which minimises the scope of industry commitments to restrict marketing to children (Hawkes & Harris 2011). Researchers have found that food companies will pledge to restrict some, but not all forms of marketing, and that no company has comprehensively restricted its marketing of unhealthy foods and beverages (Access to Nutrition Index 2018; Kraak et al. 2016). The scope of food industry commitments has many exceptions, including viral marketing, outdoor billboards, point of sale, computer games, company-owned websites and sports sponsorship (Hawkes & Harris 2011; Lumley, Martin & Antonopoulos 2012). Other concerns focus on the definition of “child” or whether the marketing is “directed at children”; many pledges restrict marketing where children make up most of the audience, but this loophole allows advertising during many other TV programs that are popular with children (Hawkes & Harris 2011; Lumley, Martin & Antonopoulos 2012).

A second limitation concerns the use of industry nutrient profiling systems. Public health researchers develop and use nutrient profiling systems to evaluate the healthfulness of products, and these systems underpin many nutrition policies, such as front-of-pack labelling, marketing restrictions, nutrition guidelines for schools and more recently some taxes on sugary drinks (Bend et al. 2014; Brinsden & Lobstein 2013; Scarborough, Rayner & Stockley 2007; World Cancer Research Fund 2018). Increasingly, nutrient profiling systems are facing scrutiny and criticism for their inability to assess levels of processing or other metrics of a food's healthfulness (Monteiro et al. 2011a; Monteiro et al. 2011b; Scrinis 2013).

Nevertheless, even those that endorse nutrient profiling systems have raised several criticisms about how the packaged food and beverage industry develops and applies these profiling schemes.

Like public health nutrition researchers, some food companies (such as Nestlé) have developed nutrient profiling systems that they use to establish whether foods are healthy enough to market to children, whether a product deserves a “smart spot” nutrition label or what nutritional information to display on a front-of-pack label (Lehmann et al. 2017). Not all food companies use or publish their nutrient profiling systems, so the extent to which Nestlé and other food companies have developed and made transparent the system they use to evaluate their portfolios can be seen as a positive step. Nonetheless, comparisons between industry and public health nutrient profiling systems show significant misalignment. This is often due to the packaged food and beverage industry using portion sizes, not 100g/ml as their assessment criteria or developing category specific criteria (Drewnowski 2017). Public health researchers argue that the packaged food and beverage industry uses these industry-friendly nutrient profiling systems to weaken the scope of voluntary industry guidelines on marketing to children or reformulation targets; they also enable front-of-pack labelling schemes that offer more favourable evaluations of industry products (for example using serving size allows the industry to circumvent a red traffic light front-of-pack label) (Lawrence, Dickie & Woods 2018; Scrinis & Parker 2016).

A third limitation concerns the inconsistent implementation of corporate health promotion initiatives. Scrinis (2016) notes that product reformulation targets differ between companies as well as internally within company portfolios. Commitments on restricting marketing to children or limiting the availability of soft drinks in schools also differ across companies and industries (Caraher, Landon & Dalmeny 2006; Hawkes & Harris 2011; Mello, Pomeranz & Moran 2008). The implementation of voluntary front-of-pack labelling standards also differs across companies, such as with the Australian Daily Intake Guide. Evaluations found that some Australian companies and industries included many nutrients on their labels, whereas other industries (specifically the confectionary and beverage industries) only labelled calories (Carter et al. 2013). Furthermore, company and industry commitments differ between countries (Hawkes & Harris 2011; Scrinis 2016). Historically, industry initiatives have focused on the Global North where food companies have faced greater pressure from public health and civil society organisations (Monteiro

& Cannon 2012). Growing regulatory pressures, especially in South America, may alter this pattern (World Health Organization 2016). More generally, industry commitments and pledges often lack independent monitoring and enforcement, which limits their overall accountability (Magnusson & Reeve 2014; Reeve 2013; Reeve & Magnusson 2015).

Lastly, the packaged food and beverage industry's promotion of physical activity deserves special mention. Public health researchers agree that physical activity is beneficial for health and that children in particular could benefit from increased physical activity (Nestle 2015b; World Health Organization 2004). Nonetheless, the packaged food and beverage industry's support of physical activity programs as a solution to obesity has been criticised as a distraction from the need for dietary changes and a method to increase brand loyalty (Gertner et al. 2016; Gomez et al. 2011; Jane & Gibson 2018; Karnani, McFerran & Mukhopadhyay 2014; Koplan & Brownell 2010; Ludwig & Nestle 2008; Nestle 2015b). More generally, public health researchers argue that the packaged food and beverage industry's message of energy balance is disingenuous, as unrealistic amounts of exercise would be required to burn off the energy consumed in large sugary drinks, fast food meals or other "energy dense" foods and drinks (Gertner et al. 2016; Kirk, Penney & Freedhoff 2010; Koplan & Brownell 2010; Nestle 2015b). I will elaborate on this argument further in my case study in Chapter 4.

The overarching conclusion arising from public health nutrition evaluations of the efficacy of corporate health promotion initiatives is that although they offer improvements to the nutritional quality of foods and the food environment, they are weaker and less impactful than proposed public health policies. These evaluations of corporate health promotion inform my research approach but are not the focus of my thesis. In the following section, I introduce the body of scholarship interrogating how corporate health promotion blurs the boundary between political activity and health promotion.

### The political dimensions of corporate health promotion

In addition to examining the efficacy of corporate health promotion with regards to improving the nutritional quality of the food system, some researchers have also interrogated the political dimensions and consequences of corporate health promotion. Partly because of the above limitations of corporate

health promotion initiatives, public health nutrition researchers have expressed scepticism over whether corporate actions would match corporate rhetoric. In *Appetite for Profit: how the food industry undermines our health and how to fight back*, public health lawyer Simon (2006, p. xv) paints an unflattering picture of the food industry's corporate health promotion strategies:

*...major food companies are currently engaged in a massive public relations campaign designed to protect their images and, ultimately, their bottom lines. Corporations concerned with their brand images are tripping over each other trying to spin themselves as "part of the solution"....As we will see, their PR methods vary and include seeming altruistic acts such as donations for exercise programs, selling allegedly healthier products, and "improved" marketing policies towards children....The PR campaign is designed to maintain profits by accomplishing two important goals: shoring up public images and deflecting the threat of government regulations and lawsuits.*

Simon's perception of corporate health promotion is partly a reflection of the time—2006 was still early in the rise of corporate health promotion. The International Food and Beverage Alliance had not yet formed or announced its commitments to the WHO. Nonetheless, over the subsequent years public health researchers have remained suspicious of the disingenuous intent of corporate health promotion. Moodie et al. (2013, p. 674) describe corporate health promotion initiatives as "ineffective, individually-targeted information and educational approaches" or "actions outside of [companies'] areas of expertise." Nestle (2015b, p. 232) expands on this sentiment in her description of the "business purpose" of soft drink industry corporate health promotion: "win friends, promote brand loyalty, silence critics, head off regulation, and accumulate moral credit—and to create the illusion that the products are healthier."

The idea that corporate health promotion serves a business or political purpose is at the core of a growing body of scholarship that critically analyses the corporate health promotion strategies of the packaged food and beverage industry. Analyses of the corporate health promotion strategies in Table 4 have identified several political and market benefits that these strategies offer the packaged food and beverage industry: they improve corporate public image; they facilitate public-private partnerships; they promote personal, not corporate responsibility; they minimise corporate blame for obesity; they improve the bottom line of companies; and they minimise the threat of unwanted regulations. I discuss these political benefits below.

One political benefit of corporate health promotion is its potential to improve the packaged food and beverage industry's public image. Sports sponsorship has been shown to create a positive brand image

and positions the industry as a community benefactor (Richards et al. 2015). Further, corporate health promotion can create a “health halo” for the company, making its portfolio appear healthier (Nestle 2015b). The frequency with which corporate health promotion is referred to as a form of corporate social responsibility (CSR) reveals the extent to which public health nutrition researchers perceive these strategies to be a public relations exercise (Clapp & Scrinis 2017; Dorfman et al. 2012; Herrick 2009; Nestle 2015b; Richards et al. 2015; Scrinis 2016). The terms “healthwashing” and “nutriwashing” similarly point to the perceived superficial nature of corporate health promotion strategies (Nestle 2015b; Simon 2006). Analysis of Australian CSR disclosures focused on health and wellness found that most sought to “change the perceptions” of the public or “deflect attention” (Cuganesan, Guthrie & Ward 2010).

Although CSR is frequently conceptualised as a marketing strategy, Herrick (2009) notes that corporate health promotion increasingly involves a “degree of praxis”—manifest in the strategies outlined in Table 4. In the business literature, CSR is conceptualised as the private sector’s actions to satisfy its social obligations as a “corporate citizen” and is referred to as the “triple bottom line” that integrates social, environmental and business interests (Banerjee 2008; Maloni & Brown 2006; Shamir 2004). Classifying corporate health promotion as a CSR strategy draws attention to the political and market risks that obesity has created for the packaged food and beverage industry (Euromonitor International 2014; Euromonitor International 2017). It also points to the widespread recognition that obesity has acquired as a political issue (Baker et al. 2017). By promoting its positive actions, the packaged food and beverage industry can diminish public consensus that it should be held accountable for obesity.

Corporate health promotion can also help to facilitate partnerships. Public-private partnerships (PPPs) between the food industry, governments and public health organisations have proliferated and address a range of obesity and nutrition related issues. Some focus on a single initiative, such as the development of the Australian Food and Health Dialogue to support product reformulation (Elliott et al. 2014). Others are multi-issue, such as the Healthy Weight Commitment Foundation, the Alliance for a Healthier Generation and the Public Health Responsibility Deal (Bryden et al. 2013; Durand et al. 2015; Ken 2014; Mozaffarian 2014; Panjwani & Caraher 2014). These partnerships offer multiple political benefits for the packaged food and beverage industry. PPPs can offer credibility and legitimise corporate participation in

nutrition policy development (Ken 2014). The packaged food and beverage industry has also established relationships with public health organisations, such as the American and Australian dietetic associations and Nutrition Australia (Aaron & Siegel 2016; Nestle 2015b; Simon 2006, 2013, 2015). These relationships affiliate the industry with credible stakeholders and offer industry the opportunity to influence nutrition professionals. Similarly, corporate sponsorship of nutrition research and organisations can help to “win friends” or “silence critics” (Nestle 2015b). Nutrition conference sponsorship also allows corporations the opportunity to provide industry-friendly speakers or influence the tone of the conference (Canella et al. 2015).

Corporate health promotion initiatives also directly or indirectly promote personal, not corporate responsibility for obesity. Analysis of corporate school nutrition education programs finds that, despite different curricula, they share the “steady mantra of personal fault and responsibility” (Powell & Gard 2014). While product reformulation could be seen as an exception to this, industry initiatives that require consumers to “choose” healthier alternatives similarly require consumers to exercise personal responsibility (Herrick 2009; Scrinis 2016). These initiatives situate responsibility with consumers and minimise the extent to which corporations are held accountable for obesity. Corporate health promotion strategies have also been shown to promote “downstream,” individualised solutions to obesity by focusing on educational interventions (such as nutrition education or labelling) to the exclusion of policies that impact the food environment (Baker et al. 2017; Capewell & Lloyd-Williams 2018). The food industry’s promotion of solutions to obesity that require consumers to exercise “personal responsibility” can stigmatise obese or overweight individuals, stymie political support for government regulation and reduce corporate blame for obesity (Dorfman et al. 2012; Dorfman & Wallack 2007). The limitations of this individualised approach to obesity parallel those discussed in relation to the packaged food and beverage industry’s more oppositional strategies that attack “nanny state” encroachments on “personal freedoms” (Mialon et al. 2017; Nestle 2015b; Tselengidis & Östergren 2018).

In addition to promoting personal blame and responsibility for obesity, corporate health promotion frequently diminishes corporate blame for obesity. Corporate nutrition education and sports sponsorship have promoted the message that obesity is primarily caused by inactivity, and more physical activity is the

best solution (Dorfman et al. 2012; Herrick 2009; Nestle 2015b; Powell & Gard 2014). Herrick (2009) notes that sports sponsorship helped the packaged food and beverage industry to distract from the contribution of packaged foods to obesity, but that the industry is pivoting away from this strategy as it faces an increasing backlash from the public health nutrition community. Public health nutritionists are increasingly critical of the food industry's investment in physical activity programs, which they argue are a distraction from the role of diet in obesity (Gertner & Rifkin 2017; Gomez et al. 2011). Corporate health promotion initiatives can also distract from or minimise the perceived health harms from individual foods and beverages. Industry front-of-pack labelling initiatives face criticism for highlighting the beneficial attributes of foods (such as the vitamin or fibre content) and obscuring the high levels of salt, sugar or fat (Bix et al. 2015; Scrinis 2016). Similarly, reformulated food products are marketed as “low in” or “reduced” which can mislead consumers about the overall healthfulness of the product (Monteiro & Cannon 2012; Scrinis 2016). These misrepresentations have the wider consequence of minimising the relationship between specific foods and beverages and obesity. Marketing to children minimises the problem as well. Rather than address the problem of marketing an unhealthy product, the problem of “advertising to children” requires “much smaller changes to marketing practices” (Smith 2012).<sup>12</sup> I will elaborate on these issues further in Chapter 4.

Corporate health promotion can also improve the bottom line of the packaged food and beverage industry. Product reformulation (both to reduce negative nutrients and increase beneficial nutrients) taps into and commercialises consumers' dietary concerns (Scrinis 2016; Scrinis & Monteiro 2018). Although Nestle (2015b) and Herrick (2009) question the fleeting nature of consumer food trends and the ability of the packaged food and beverage industry to capitalise on new markets, the growing market for “health and wellness” products indicates a fundamental shift in many markets and an opportunity for “nutritional marketing” (Euromonitor International 2013b; Scrinis 2013). In addition to reformulation, the acquisition of new “healthier” brands expands corporate market share and has aided their expansion into the Global South (Monteiro & Cannon 2012). More generally, product reformulation enables and legitimises the continued consumption of branded, ultra-processed foods in the Global North and its expansion in the

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<sup>12</sup> Smith (2012) makes this point about the tobacco industry, but her analysis applies to the packaged food and beverage industry as well.

Global South (Monteiro & Cannon 2012; Monteiro et al. 2013). I will elaborate on these issues further in Chapter 5.

Lastly, corporate health promotion helps the industry to diffuse the threat of unwanted regulations. Several scholars have noted that the packaged food and beverage industry develops self-regulation with the intention of pre-empting mandatory government policies (Brownell & Warner 2009; Moodie et al. 2013; Sharma, Teret & Brownell 2010). Brownell and Koplan (2011) describe the packaged food and beverage industry's launch of a voluntary labelling initiative during deliberations on a national labelling policy. They argue that the industry's launch of a voluntary alternative was a deliberate strategy to co-opt the momentum for a national front-of-pack nutrition label and provide a weaker, industry-friendly alternative. Mello, Pomeranz and Moran (2008) document a similar situation when the American soft drink industry pre-empted the development of national school beverage guidelines by developing and launching their own, weaker alternative. Public health scholars have drawn parallels to other industries that also used self-regulation as a strategy to pre-empt and undermine the development of rigorous and binding regulations (Brownell & Warner 2009; Mialon, Swinburn & Sacks 2015; Sharma, Teret & Brownell 2010). These analyses show that, like lobbying, corporate health promotion can influence the policy process. Corporate health promotion more generally can facilitate industry participation in global health governance (Buse, Tanaka & Hawkes 2017; Clapp & Scrinis 2017; Herrick 2009). The rise of corporate involvement in global health governance has provoked concerns over the potential for industry involvement to influence and weaken policy objectives—so called “policy capture” (Buse, Tanaka & Hawkes 2017; Kraak et al. 2012; Kraak et al. 2014; Miller & Harkins 2010). I will elaborate on these issues further in Chapter 6.

### Approaches to analysing the politics of corporate health promotion

In the two previous sections, I have outlined some of the key themes and findings from the literature analysing the nutritional and political dimensions of corporate health promotion. Here, I highlight some exemplary studies of the political dimensions and consequences of corporate health promotion. These studies draw on different methodological and analytical approaches: whether they focus on one or many corporate health promotion strategies, industries or countries; what data sources they draw on; and

whether they focus on a static period or changes over time. In Table 5, I have documented some of the methodological and analytical approaches used to analyse the politics of corporate health promotion. These different approaches offer several insights into the nature and characteristics of corporate health promotion strategies, specifically: differences in how corporate health promotion is practiced between different industries and countries; the political motives driving corporate health promotion; and the evolution of corporate health promotion strategies over time. I discuss these insights below.

Table 5: Methodological characteristics of exemplary studies of corporate health promotion

| STUDY                            | SCOPE AND CONTEXT                       |                     |                     |                     |                |                    | DATA SOURCES       |                                                                |                    |                                  | TIMEFRAME                      |                           |            |
|----------------------------------|-----------------------------------------|---------------------|---------------------|---------------------|----------------|--------------------|--------------------|----------------------------------------------------------------|--------------------|----------------------------------|--------------------------------|---------------------------|------------|
|                                  | Single strategy                         | Multiple strategies | Single industry     | Multiple industries | Single country | Multiple countries | Industry documents | Government & public health organisation <sup>#</sup> documents | Newspaper archives | Ethnography/ personal experience | Changes over time not examined | Policy development period | Ten+ years |
| Clapp and Scrinis (2017)         |                                         | X                   |                     | X                   |                | X                  | X                  | X                                                              |                    |                                  | X                              |                           |            |
| Dorfman et al. (2012)            | Nutrition education & physical activity |                     | Soft drink industry |                     |                | X                  | X                  | X                                                              |                    |                                  | X                              |                           |            |
| Hawkes and Harris (2011)         | Marketing to children                   |                     |                     | X                   |                | X                  | X                  | X                                                              |                    |                                  | X                              |                           |            |
| Ken (2014)                       | Public-private partnership              |                     |                     | X                   | United States  |                    |                    | X                                                              |                    | X                                | X                              |                           |            |
| Mello, Pomeranz and Moran (2008) | School beverage guidelines              |                     | Soft drink industry |                     | United States  |                    | X                  | X                                                              |                    | X                                |                                | X                         |            |
| Monteiro and Cannon (2012)       | Product reformulation                   |                     |                     | X                   |                | X                  | X                  | X                                                              |                    |                                  | X                              |                           |            |
| Nestle (2015b)                   |                                         | X                   | Soft drink industry |                     | United States  | X                  | X                  | X                                                              |                    | X                                | X*                             | X*                        |            |
| Nixon et al. (2015)              |                                         | X                   |                     | X                   | United States  |                    | X                  |                                                                | X                  |                                  |                                |                           | X          |
| Panjwani and Caraher (2014)      | Public-private partnership              |                     |                     | X                   | United Kingdom |                    | X                  | X                                                              |                    |                                  |                                | X                         |            |
| Powell and Gard (2014)           | Nutrition education & physical activity |                     | Soft drink industry |                     |                | X                  | X                  | X                                                              |                    |                                  | X                              |                           |            |
| Scott and Nixon (2017)           | Product reformulation                   |                     |                     | X                   | United States  |                    |                    | X                                                              | X                  |                                  |                                |                           | X          |
| Scrinis (2016)                   | Product reformulation                   |                     |                     | X                   |                | X                  | X                  | X                                                              |                    |                                  | X                              |                           |            |

\* Two of Nestle's (2015b) chapters examined policy change over time (marketing to children and school beverage guidelines).

<sup>#</sup> I have included documents produced by public-private partnerships in this category.

In trying to develop a more thorough understanding of how the soft drink industry is responding to obesity, it is important to recognise the enormous heterogeneity in how corporate health promotion strategies manifest across different companies, industries and countries. Recognising and accounting for this diversity is crucial to developing a sound understanding of the different ways that the private sector is responding to obesity. This in turn can contribute to Moodie's (2016) call to "describe and discern what is commonly lumped together as the 'private sector' with much greater nuance and sophistication." Many studies of corporate health promotion strategies do not explicitly differentiate between different sectors of the food and beverage industry. Nixon et al.'s (2015) study of framing strategies of fast food restaurants, packaged food companies, soft drink companies and trade associations in the United States offers an exemplary example of the insights that can be gained from these comparisons. Trade associations, for example, tend to take the more oppositional stance, a phenomenon also observed in Nestle's (2015b) analysis of the American soft drink industry. Differences between corporate health promotion strategies are partly a reflection of portfolio differences between companies. Jensen and Ronit (2015a) note that product portfolios and market orientations are likely to influence the degree to which companies engage in corporate health promotion. Companies more exposed to market or regulatory threats, such as the soft drink industry (see Chapter 1 *Business Concerns*), are more likely to reposition themselves as part of the solution.

In addition to accounting for industry-specific factors, it is also important to account for country-specific factors such as the market and regulatory context. Hawkes and Harris (2011) examine the differences between marketing to children pledges across different industries and countries and propose that attention to country-specific market and political factors can help to illuminate and explain pledge variations. Similarly, Monteiro and Cannon (2012), Scrinis (2016) and Clapp and Scrinis (2017) contrast product reformulation strategies in the Global North and South in response to different market and political pressures. This points to the value in comparisons between countries, such as Powell and Gard's (2014) analysis of Coca-Cola's nutrition education programs in the United States and Singapore, which found significant differences in the visibility of corporate branding. Case studies of single industries, such as Dorfman et al. (2012), Mello, Pomeranz and Moran (2008) and Nestle's (2015b) studies of the soft

drink industry can also highlight the role of national market and political contexts in shaping corporate health promotion.

Novel data sources can also shed light on political motivations and consequences. Nestle (2015b) and Mello, Pomeranz and Moran (2008) both drew on their experience as US nutrition policy stakeholders to provide behind the scenes evidence and reflections on the political strategies of the soft drink industry. Alternatively, some researchers have used Freedom of Information requests to access documents not available to the public (Barlow et al. 2018; Gornall 2015a; Mialon et al. 2016a; Miller & Harkins 2010; Panjwani & Caraher 2014; Serôdio, McKee & Stuckler 2018). These research methods highlight the insights that can be gained from behind the scenes information about the policy process. Ken's (2014) analysis of anti-obesity public-private partnerships in the United States, for example, drew on ethnographic field work. Some studies drew on comparisons to other industries, such as Dorfman et al.'s (2012) comparison of the soft drink and tobacco industry's CSR strategies. This provides further insights into the political motivations driving corporate health promotion in the soft drink industry. While several studies have drawn parallels between the tobacco and food industry's responses to concerns over the health harms of their products, most research has focused on the similarities between overtly oppositional strategies (Baker, Jones & Thow 2018; Brownell & Warner 2009; Capewell & Lloyd-Williams 2018; Moodie et al. 2013; Serôdio, McKee & Stuckler 2018; Tselengidis & Östergren 2018).

The study's timeframe can also offer insights into the nature of corporate health promotion. Few studies examine changes of corporate health promotion over time. Nixon et al. (2015) and Scott and Nixon's (2017) analysis of publicly available news archives are an exception to this, and both reveal important insights about how corporate communications about corporate health promotion strategies change over time. These studies also drew connections between changes to corporate health promotion strategies and significant political events. Likewise, some studies examined the policy development process. Mello, Pomeranz and Moran (2008), Nestle (2015b) and Panjwani and Caraher's (2014) studies offer a more complete understanding of the nature of corporate political influence on the policy process and highlight the need for further interrogation of the relationship between corporate health promotion and government regulation.

Lastly, several of the exemplary studies of corporate health promotion draw on theories and methods used in policy analysis, such as Sabatier's (1991) advocacy coalition framework and Kingdon's (1995) multiple streams model, to interrogate the role of industry stakeholders in policy making as well as the influence of political and regulatory contexts on nutrition policy development (Hawkes & Harris 2011; Mello, Pomeranz & Moran 2008; Nestle 2015b; Panjwani & Caraher 2014). Public health nutrition researchers are increasingly drawing on theories from political science to help analyse the political power and influence of the packaged food and beverage industry and its influence on nutrition policies (Baker et al. 2017; Baker et al. 2018; Battams & Townsend 2018; Brinsden & Lang 2015; Coveney 2010; Cullerton et al. 2016; Lewis 2006; Mosier 2013; Scott, Hawkins & Knai 2016; Shiffman & Smith 2007; Shill et al. 2011; Thow & Hawkes 2014; Yeatman 2003). These analyses offer insights into the political mechanisms through which corporate health promotion exerts political influence. Several studies also analyse corporate health promotion in the context of the increasing privatisation of global governance (Clapp & Scrinis 2017; Herrick 2009; Powell & Gard 2014). These studies take different approaches but draw on scholarship analysing the simultaneous "retreat of the state" along with the growth of the private sector (Cutler, Haufler & Porter 1999; Falkner 2003; Fuchs 2005). Together, these studies demonstrate the utility and need for a more explicit connection between public health and political science scholarship.

The above approaches to analysing the politics of corporate health promotion highlight several important methodological and analytical considerations. First, recognising and exploring the differences between industry stakeholders (for example between companies and trade associations or between different industry sectors) can help to explain different approaches to corporate health promotion. Second, it is important to take political and market contexts into account. Third, access to industry documents can offer important insights into the political motives of corporations, however comparisons with other industries (such as the alcohol or tobacco industries) can also help us to interpret the political actions of the packaged food and beverage industry. Fourth, analysing changes in industry strategies over time helps to reveal the dynamism and responsiveness of industry strategies. Lastly, political science theories of policy development and political power can help to explain the mechanisms of corporate political influence.

This thesis seeks to build on and contribute to the literature analysing the political dimensions of corporate health promotion in two ways: it aims to improve our understanding of how and why the soft drink industry is responding to obesity—specifically how and why it is trying to position itself as “part of the solution,” and it aims to improve our understanding of corporate political power and influence in the food system. To do this, I draw on scholarship analysing *corporate power* in the food system. In the following section, I introduce the body of literature analysing corporate power and discuss how this literature informs this thesis.

## Corporate Power

Analysis of corporate political power and influence offers two important insights into the political dimensions of the soft drink industry’s corporate health promotion strategies. First, it will help us to understand the different avenues through which corporate health promotion influences the political process and environment. And second, it will illuminate some of the ways that corporate health promotion can amplify the political power of the soft drink industry. The political power and influence of packaged food and beverage corporations has been explored from several disciplinary perspectives. In the following sections, I discuss some of the ways that corporate power in the food system has been conceptualised and analysed. I then introduce Fuchs’ (2007) corporate power framework and discuss some of the insights that analyses of corporate power offer into how the food industry exerts political influence and the strengths and limitations of corporate power. Lastly, I propose a modification to Fuchs’ framework to help explain how corporate power manifests differently in the soft drink industry’s oppositional and conciliatory political strategies.

### Approaches to analysing corporate power in the food system

As discussed in Chapter 1, public health researchers are increasingly concerned about the influence of powerful corporations on population health as well as food and nutrition governance. The terms “industrial epidemics,” “corporate determinants of health,” “commercial determinants of health,” “corporate vectors of disease” and “harm industries” speak to the growing consideration of the power and influence of large corporations in public health (Herrick 2016b; Jahiel & Babor 2007; Jahiel 2008;

Kickbusch 2012; Kickbusch, Allen & Franz 2016; McKee & Stuckler 2018; Millar 2013). A growing number of public health researchers examine the power of corporations to shape consumption practices and influence public health policy in ways that favour the corporate bottom line but undermine public health objectives. This research seeks to identify the sources of corporate political influence and the strategies corporations use to shape their political environments. In *Lethal but Legal*, Freudenberg (2014, p. 98) outlines the “corporate consumption complex”—a network of businesses and organisations that “has the power to maintain a political and economic system that allows companies to produce and market lethal but legal products and promote unhealthy lifestyles and unsustainable practices at the expense of healthier alternatives.” Similarly, Kickbusch, Allen and Franz (2016) describe the political strategies of: marketing, lobbying, corporate social responsibility and supply chains, each of which intersects with the other to increase consumption of “unhealthy commodities,” improve corporate image and block effective public health policies.

Several public health researchers have drawn on Lukes’ (1974), Fuchs’ (2007) or Clapp and Fuchs’ (2009b) three-dimensional view of power and proposed different channels of influence through which corporations exercise power.<sup>13</sup> These channels of influence help to explain how corporate political strategies exert political influence. They also explicitly or implicitly highlight the different factors that facilitate corporate power, including: financial resources to lobby and donate to election campaigns, connections to influential stakeholders or the perception that corporate participation in nutrition policy is normal—see for example Nestle (2013). McKee and Stuckler (2018) describe four manifestations of power: defining the narrative, setting the rules, commodifying knowledge and political, economic and social rights. Madureira Lima and Galea (2018) propose five “vehicles of power”: the political environment, preference shaping, the knowledge environment, the legal environment and the extra-legal environment. Baker et al. (2017), Clapp and Scrinis (2017) and Pulker et al. (2018) draw on Fuchs’ (2007) and Clapp and Fuchs’ (2009b) three-dimensional corporate power framework to explain corporate influence in food and nutrition policy and explore the instrumental, structural and discursive dimensions

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<sup>13</sup> Fuchs’ (2007) and Clapp and Fuchs’ (2009b) corporate power framework draws on Lukes’ (1974) three-dimensional view of power and applies it to corporate power in the food system. I will elaborate on this corporate power framework in the following section.

of power. I will elaborate on these three dimensions in the following section where I introduce Fuchs's (2007) corporate power framework.

Public health analyses of the parallels between the political strategies of the tobacco and food industries have yielded useful insights about the similarities between the motives underpinning different strategies and their political consequences (Brownell & Warner 2009; Capewell & Lloyd-Williams 2018; Chopra & Darnton-Hill 2004). I suggest that additional insights about the political strategies and influence of the food industry can be gained from engagement with scholarship analysing the response of the food industry to environmental movements. There is a rich body of scholarship in the food systems literature that examines the power and influence of the food industry and the consequences that this has for sustainability. Moreover, there are significant parallels between how the food industry has responded to public criticisms of the harms its products and business practices create for both health and sustainability. There are also other points of overlap: both bodies of literature analyse similar stakeholders (for example multinational food manufacturers); both have also drawn on the three-dimensional approach to power set out by Lukes' (1974) and extended by Fuchs' (2007) and Clapp and Fuchs' (2009b). Below, I elaborate on some of the corporate power scholarship that interrogates the political responses of the food industry to environmental and social movements.

Food policy scholarship examines the role of the food industry in food policy development (including nutrition policy—see for example Panjwani and Caraher (2014) and Lang, Barling and Caraher (2009)). It explores stakeholder engagement in policy development and examines the power relationships between different stakeholder alliances (Carey et al. 2016; Lang, Barling & Caraher 2009). This approach begins with the explicit acknowledgement that policy making is no longer the exclusive purview of the state, but a multi-stakeholder process. These policy stakeholders comprise government, industry and civil society; moreover, these stakeholder groups have both shared and conflicting interests. In *Food Policy: integrating health, environment and society*, Lang, Barling and Caraher (2009, p. 9) assert that food policy is a “constant ‘juggle’ of competing interests and perspectives” and “can be best understood if the potential for contestation is recognised alongside asymmetries of power.” This approach highlights the importance of recognising the diversity of stakeholders involved in nutrition policy making and the complex array of

overlapping interests amongst these stakeholders. It also highlights the power of large agrifood businesses due to their market concentration and its consequences for sustainability (Carolan 2011; Heffernan, Hendrickson & Gronski 1999; Lang & Heasman 2004b).

Corporate power has also been examined within the food regime scholarship, which identified the emergence of a “corporate food regime” characterised by corporate concentration, financialization, market liberalisation and the ascent of trans-national corporations (Friedmann & McMichael 1989; McMichael 2000; McMichael 2005). Food regime scholars take a historical perspective and interrogate periods of stability (regimes) and periods of instability in the global food economy. A key theme emerging from food regime scholarship is the tendency for corporations to appropriate the values and principles of alternative environmental and social movements and, in so doing, water down the more radical potential of the movement (Friedmann 2005, 2016; Guthman 1998; Holt Giménez & Shattuck 2011; Parker & Scrinis 2014). This theme is apparent in other analyses of corporate power in the food system. Levy and Newell (2002) and Levy and Egan (2003) describe the use of accommodations as a “passive revolution” to appease industry critics. Similarly, corporate social responsibility initiatives are described as a strategy to “neutralise opposition,” “pre-empt viable threats” and absorb “counter-hegemonic forces” (Shamir 2004, 2005). These studies highlight the potential of corporate initiatives to co-opt and appropriate elements from movements opposing industry practices.

Clapp and Fuchs’ (2009b) analysis of corporate power in the food system builds on research of powerful food system stakeholders (Carolan 2011; Heffernan, Hendrickson & Gronski 1999; Lang & Heasman 2004b) and integrates it with the international relations literature that analyses the role of food corporations (and other large TNCs) in global governance and the intersections between private and public regulation (Bartle & Vass 2007; Cutler, Haufler & Porter 1999; Falkner 2003; Vogel 2008). The aim of this approach is to “examine the *political* role that corporations play in efforts to *govern* the global *food* system” (Clapp & Fuchs 2009a, p. 2 emphasis original). Clapp and Fuchs’ (2009b) analytical approach builds on Fuchs’ (2005, 2007) three-dimensional corporate power framework that differentiates between instrumental, structural and discursive manifestations of power (I will elaborate on these in the following section). This framework identifies other dimensions of power beyond market power, such as access to

decision makers, control of information or the perceived political legitimacy of corporate actors (Clapp & Fuchs 2009a). This framework has previously been used to analyse the political power of agrifood corporations and their influence on environmental sustainability (Bain, Ransom & Worosz 2010; Clapp 2009; Falkner 2008, 2009; Fuchs et al. 2016; Fuchs & Kalfagianni 2009, 2010; Fuchs, Kalfagianni & Arentsen 2009; Fuchs, Kalfagianni & Havinga 2011; Newell 2009; Parker & Scrinis 2014; Scott, Vandergeest & Young 2009; Sell 2009; Smythe 2009; Tourangeau 2017; Williams 2009).

Fuchs' (2005, 2007) corporate power framework has not yet been used to analyse how different dimensions of corporate power manifest in the soft drink industry's oppositional and conciliatory responses to obesity. In the following sections, I introduce Fuchs' corporate power framework and discuss some of the insights it offers into the sources and manifestations of corporate power in the food system as well as the opportunities and challenges corporations face in exercising corporate power. I then discuss my proposed modification to Fuchs' corporate power framework.

### Fuchs' corporate power framework and the strengths and limitations of corporate power

Fuchs (2005, 2007) proposes a three-dimensional corporate power framework that draws on Luke's (1974) three faces of power. Each form of power exerts a different form of political influence. *Instrumental power*, the "first face of power," exerts direct influence on decision making via lobbying and campaign contributions from interest groups as well as efforts to increase access to decision makers via the "revolving door" between industry and politicians or the development of public-private partnerships (Clapp & Fuchs 2009b; Clapp & Scrinis 2017; Fuchs 2007). Instrumental power draws attention to the ways in which decision outcomes are changed due to the influence of one actor over another and highlights the relationships corporations have with other stakeholders involved in policy making. *Structural power*, the "second face of power," influences the agenda-setting process that precedes decision-making and can limit the range of choices available to policy makers; it can also involve the acquisition of decision-making power by corporations via self-regulation (Clapp & Fuchs 2009a). The exercise of structural power attempts to shape the circumstances in which decisions are made, to make some options more appealing than others, or to limit the scope of debate to issues that are innocuous to the industry.

For this reason, structural power is also known as “non-decision-making” power that keeps unwanted issues off the political agenda (Bachrach & Baratz 1962). Lastly, *discursive power*, the “third face of power,” influences the norms and ideas that underpin and precede agenda-setting and political decision-making. Discursive power uses media and public relations to shape public understanding of issues (and non-issues) as well as what solutions are most appropriate (Clapp & Fuchs 2009a; Haugaard 2002).

Fuchs’ (2005, 2007) corporate power framework and other analyses of corporate power in the food system offer several insights into how the food industry exercises political influence as well as the strengths and weaknesses of different political strategies. A key insight arising from Fuchs’ corporate power framework is that the exercise of power varies from direct influence on decision-makers (instrumental power) to the more diffuse influence on social norms and beliefs (discursive power). Instrumental power exerts influence on political decision makers and is clearly linked to policy outcomes (Fuchs 2007). The lobbying that Nestle (2013) describes to influence the content of dietary guidelines in the United States demonstrates a strong relationship between an industry political tactic and a policy outcome. Structural and discursive power, in contrast, are slightly more removed from the policy making process. The development of corporate self-regulation can result in government inaction yet demonstrating the link between a political strategy and policy *inaction* as opposed to *action* is more challenging. Similarly, while industry frames about personal responsibility and consumer freedom can shape public perceptions about appropriate responses to obesity, drawing the connection between these frames and policy outcomes is more challenging.

Recognising that corporate power ranges from a direct to indirect influence on political decision making points to the relative visibility of different political strategies. Shiffman (2014) argues that instrumental power is more apparent and visible than other forms of power, an assertion echoed by Forman (2016) and McKee and Stuckler (2018). The exercise of instrumental power, sometimes referred to as “compulsory” power, often involves a visible conflict of interest between two parties—such as when the American sugar industry exerted its lobbying power to threaten the WHO with a loss of funding should it publish guidelines on sugar intake (Boseley & McMahon 2003; Shiffman 2014). In contrast, structural, non-decision making power seeks to keep issues off the agenda, which Lang, Barling and Caraher (2009)

refer to as the hidden or non-observable face of power. If successful, the exercise of agenda-setting power may not “leave a trace” (Fuchs 2007). Similarly, discursive power is referred to as the “most insidious” and “least visible” form of power (Buse & Hawkes 2014; Lukes 1974; Madureira Lima & Galea 2018; McKee & Stuckler 2018). The absence of visible confrontations in corporate health promotion strategies explains why much of the literature on corporate power has focused on the more overt and conflictual manifestations of power, such as lobbying, litigation, campaign finance, biasing research, demonising the “nanny state” and co-opting policy makers and health professionals (Freudenberg 2014; Moodie et al. 2013; Nestle 2015b; Wüist 2010). Scrutiny of the power relations embedded in corporate health promotion is far less common (see for example Clapp and Scrinis (2017) and Pulker et al. (2018)).

We can also observe that different factors and circumstances enable or constrain corporate power in the food system. A key strength of corporations is their market resources, including their revenue, market concentration, global supply chains, intellectual property, access to commercially sensitive information, marketing expertise and their research and development capabilities (Carolan 2011; Clapp & Fuchs 2009b; Lang & Heasman 2004b). As discussed in Chapter 1, the Australian soft drink industry is highly concentrated and includes several global corporations; its net revenue is over \$4.7 billion AUD (IBISWorld 2018e). In addition to (and often due to) financial resources, large food companies and their trade associations are often well-connected politically (Gómez 2018; Miller & Harkins 2010; Nestle 2013; Williams 2015). These resources differ between different sectors of the food system as well as between countries and industries. Food companies differ in size, geographic scale, revenue and industry concentration (Carolan 2011; Heffernan, Hendrickson & Gronski 1999; Lang & Heasman 2004b).

Depending on their location in the food supply chain, food companies exercise varying degrees of influence over other food companies, producers or eaters (Burch & Lawrence 2009; Winson 2004). For example, food retailers influence consumer choices through their selling power but also farmer livelihoods via their buying power, which leads some scholars to argue that they have replaced food manufacturers as the most powerful food system actor (Burch & Lawrence 2005; Smith, Lawrence & Richards 2010). Food companies also exist in different political and market contexts and face differing regulatory threats and market opportunities due to the different foods (and non-foods) in their portfolios (Access to Nutrition Index 2018; Hawkes & Harris 2011; Lang, Rayner & Kaelin 2006). These differences

point to the need to recognise that alongside common business interests and agendas, there are significant divergences within the food industry (Clapp & Fuchs 2009b; Falkner 2008).

In addition to corporate market resources, the exercise of corporate power is also enabled by a neoliberal political climate. In the conclusion to *Corporate Power in Global Agrifood Governance*, Clapp and Fuchs (2009b) reflect on a number of themes that emerged through the book. One theme was the “importance of the structural context,” which they argue provides the “pre-conditions” for the exercise of power.

They note that,

*...corporate power is embedded in and at a minimum facilitated by neoliberal political economic systems...global trading, intellectual property rights, biosafety, and food aid regimes all provide the space for corporations to become powerful actors... (Clapp & Fuchs 2009b, p. 291).*

Fuchs (2007) notes that the dominance of neoliberalism has facilitated corporate participation in politics, and that a shift away from neoliberal norms could erode corporate power. In *Commanding heights: the strength and fragility of business power in global politics*, Fuchs (2005) argues that theories of power seeking to include and analyse corporate power must integrate a concept of power “vulnerability” to account for the barriers corporations face exercising power. Attention to corporate vulnerabilities can identify points of fragility in the soft drink industry’s corporate power—the “weak links” (Lukes 1986), “cracks” (Fuchs et al. 2016) or “points of leverage” (Drahos & Tansey 2008; Sell 2009). In Chapter 1, I discussed some of the market and regulatory challenges that the soft drink industry faces concerning obesity. These “vulnerabilities” are a source of uncertainty for the soft drink industry. Will other countries continue to follow in Mexico’s steps and develop taxes on soft drinks? How widespread will the anti-sugar movement grow, and what will its impact be for soft drinks (but also for other sugary drinks such as flavoured milk, juices, and the like)? Will soft drinks remain the global scapegoat for obesity, or will a new target emerge? And, taking a further step back, will obesity remain a public health priority, or will a new “epidemic” displace it on the public health agenda? These are only some of the questions with significant political and financial ramifications for the soft drink industry.

Lastly, Fuchs (2005, 2007) notes that both structural, rule-setting power (for example corporate self-regulation) and discursive power require greater legitimacy than other forms of power. Fuchs and

Kalfagianni (2010), assert that the ability of the soft drink industry to develop self-regulation is a consequence of its material power, but self-regulation “remains unchallenged *because it is perceived to be legitimate*” (emphasis added). Similarly, discursive power depends in part on an audience’s willingness to “place at least some trust in the validity” of the industry’s message (Fuchs 2007, p. 61). Fuchs (2005) describes legitimacy as the “Achilles heel” of businesses and notes that industry reputations are perhaps their most vulnerable asset. Corporations have sought to accrue legitimacy for their policy positions or actions. One strategy is to generate scientific legitimacy for its initiatives, such as through funding research, aligning its position with credible health organisations or hiring nutrition professionals as spokespeople, strategies also seen internationally (Dixon 2003; Nestle 2015b). A second aim is to acquire legitimacy for its participation in the political process, such as by presenting industry regulation as efficient and effective (Fuchs & Kalfagianni 2009). Further, these legitimisation strategies intersect, with efforts to acquire legitimacy in one area complementing and enhancing efforts in another. Being able to offer scientific or technical expertise is a key avenue into the policy-making process (Fuchs 2007). Conversely, the soft drink industry’s efforts to enhance its credibility as a policy-maker, such as through its participation in public-private-partnerships, helps to affiliate the industry with credible stakeholders in government and public health (Clapp & Scrinis 2017).

### Modifying Fuchs’ corporate power framework: oppositional and conciliatory manifestations of power

In this thesis, I will draw on Fuchs’ corporate power framework to help me analyse and explain the political dimensions and consequences of corporate health promotion. Here, I propose a modification to Fuchs’ corporate power framework to augment my analysis of the political dimensions and consequences of corporate health promotion. As discussed at the beginning of the chapter, the packaged food and beverage industry has pursued both oppositional and conciliatory responses to obesity. I argue that we can make a similar distinction between oppositional and conciliatory manifestations of power.

Two interconnected insights about the nature of power lead me to propose this modification. First, scholars researching power differentiate between a coercive or compulsory exercise of power and a more persuasive exercise of power that is sometimes referred to as hidden, invisible or diffuse (Fuchs et al.

2016; Lukes 1974; McKee & Stuckler 2018; Shiffman 2014). The idea that power can have a coercive nature fits with descriptions of how power is exercised to resist or oppose unwanted political strategies (see for example Nestle's (2015b) chapters on "hardball" industry strategies in *Soda Politics*). A second insight comes from analyses of how corporations have exercised power in response to environmental movements seeking to transform the food system. These scholars describe a corporate political strategy of accommodations and concessions to diffuse challenges to the status quo and to reduce pressures for transformative change (Bloomfield 2012; Jaeger 2018; Levy & Egan 2003; Shamir 2005). In the late 1990s, for example, in response to the threat of regulation of emissions, the automobile industry began to invest in low-emission technologies and promoted a "win-win" rhetoric of environmental sustainability and corporate profits (Levy & Egan 2003). An earlier example from the soft drink industry was the promotion of voluntary recycling programs as an alternative to proposed bans and taxes on disposable beverage containers in the United States in the 1960s and 70s (Elmore 2015; Jaeger 2018). A key consequence of these accommodations and concessions is their potential to "pacify" industry opposition (Bernstein & Cashore 2007; Ken 2014). These two insights highlight a key facet of corporate power that has received little emphasis in previous analyses of the soft drink industry's political strategies. Namely, that corporate power can be exercised via threats or via accommodations, and these manifestations generate different political consequences for the soft drink industry.

I propose that we can integrate these insights about the nature of power into Fuchs' corporate power framework to augment its capacity to explain how corporate health promotion strategies exercise and amass power. Specifically, I argue that we can differentiate between two overarching manifestations of corporate power: an oppositional manifestation of power characterised by threats and criticisms and a conciliatory manifestation of power characterised by concessions and promotion of the industry's good behaviour. Moreover, this distinction transcends and cuts across the three dimensions of power. In Table 6, I provide a modified classification that differentiates between oppositional and conciliatory manifestations of power and designate some examples of their channels of influence. I adapted this table from Clapp and Scrinis' (2017) figure of the different dimensions of corporate power and Mialon, Swinburn and Sacks' (2015) table of corporate political activity strategies. I also include an additional

conciliatory instrumental strategy to “lobby to support industry policies,” which I identified in Nestle’s (2015b) chapter on lobbying strategies (Chapter 23).

*Table 6: Oppositional and conciliatory manifestations of corporate power*

|                           | OPPOSITIONAL POWER                                                                                                                                                                                      | CONCILIATORY POWER                                                                                                                                                                                                                        |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>INSTRUMENTAL POWER</b> | <ul style="list-style-type: none"> <li>- Lobby to oppose policies</li> <li>- Campaign financing</li> </ul>                                                                                              | <ul style="list-style-type: none"> <li>- Public-private partnerships</li> <li>- Lobby to support industry policies</li> </ul>                                                                                                             |
| <b>STRUCTURAL POWER</b>   | <ul style="list-style-type: none"> <li>- Threaten loss of business or jobs</li> <li>- Influence the science</li> </ul>                                                                                  | <ul style="list-style-type: none"> <li>- Self-regulation (codes and standards)</li> <li>- Corporate health promotion initiatives</li> </ul>                                                                                               |
| <b>DISCURSIVE POWER</b>   | <ul style="list-style-type: none"> <li>- Criticise public health policies</li> <li>- Criticise evidence</li> <li>- Criticise public health advocates</li> <li>- Deny industry responsibility</li> </ul> | <ul style="list-style-type: none"> <li>- Normalise industry explanations about obesity</li> <li>- Normalise food industry actions to address obesity</li> <li>- Normalise industry involvement in nutrition policy development</li> </ul> |

This modified framework allows us to differentiate between how corporations exercise power to resist and oppose public health initiatives, and how corporations exercise power to position the soft drink industry as part of the solution to obesity. This classification can also help to illuminate and explain some of the challenges and opportunities that the soft drink industry faces in using different political strategies. We can observe that oppositional manifestations of power are more likely to generate antagonism toward the industry, such as when the American and UK soft drink industries threatened to withdraw investments or lay off employees if a sugary drink tax was passed (an exercise of oppositional structural power) (Paarlberg, Mozaffarian & Micha 2017; Tselengidis & Östergren 2018). In contrast, conciliatory manifestations of power are more likely to appease or “pacify” industry critics (Bernstein & Cashore 2007; Ken 2014), such as when PepsiCo pledged to display calorie counts on front-of-pack labels (an exercise of conciliatory structural power) or when the food industry participates in public-private partnerships (an exercise of conciliatory instrumental power) (Clapp & Scrinis 2017; Yach et al. 2010). I will analyse and reflect on these political consequences further in Chapter 7.

In each of my case studies, I will discuss the different manifestations of power that I observe in the soft drink industry’s corporate health promotion strategies and their different avenues of influence. I will also consider the opportunities and challenges that the soft drink industry faces in exercising these different dimensions of power. In Chapter 7, I will elaborate on some of the insights that this modification to Fuchs’ corporate power framework offers into how corporate health promotion constitutes an exercise of power and further, how it helps the soft drink industry to tilt the balance of power relations in its favour.

I will discuss some of the broader patterns that I identify as well as some of the ways that corporate health promotion initiatives can amplify the soft drink industry's political power and influence.

## Conclusion

In this chapter, I provided an overview of the scholarship interrogating the soft drink industry's oppositional and conciliatory responses to obesity and the key insights arising from this body of literature. I also identified exemplary approaches to analysing the politics of corporate health promotion and explored their different methodological and analytical approaches. I discussed the body of literature analysing corporate power in the food system and introduced and proposed a modification of Fuchs' corporate power framework. In the following chapter, I present my research design and elaborate on my selection of three case studies. I also discuss the sources and types of data collected in this research project.



### 3. Research Design

*...the case study—of an individual, group, organization or event—rests implicitly on the existence of a micro-macro link in social behaviour. It is a form of cross-level inference. Sometimes, in-depth knowledge of an individual example is more helpful than fleeting knowledge about a larger number of examples. We gain better understanding of the whole by focusing on a key part.*

—*Case Study Research: Principles and Practices* (Gerring 2007, p. 1)

*...with every two steps forward, you take a step or two backward before proceeding any further. What results is no longer a liner progression in a single forward direction. Rather, you are spiralling forward, never actually leaving any stage behind completely.*

—*Qualitative Research Methods for the Social Sciences* (Berg 2001, p. 18)

## Introduction

This chapter describes the overall research design of the thesis and the sources and types of data collected. First, I revisit the specific aims of the thesis and its overarching research questions. Second, I outline the rationale behind my choice of a case study methodology and discuss my selection of three cases studies, my guiding propositions and my analytical approach. Last, I discuss the sources and types of data collected in this research. I elaborate on three data sources and the different ways that they contribute to my thesis.

## Thesis aims and research questions

The aim of this thesis is twofold. The first aim is to map out and examine the corporate health promotion strategies used by the Australian soft drink industry to alleviate the risks that obesity presents to its industry in the context of a growing public health movement to reduce sugary drink consumption. What corporate health promotions strategies does the soft drink industry pursue? How does it implement them? How does the soft drink industry present its corporate health promotion as “part of the solution to obesity?” Have these strategies changed over time, and if so, how? What are the shared and unique characteristics of each corporate health promotion strategy? By examining the Australian soft drink industry’s corporate health promotion strategies in detail, this thesis provides an Australian counter-part to previous studies of corporate health promotion in the packaged and fast food industry (see Chapter 2 for an overview of this literature).

A second aim is to interrogate the political dimensions and consequences of the soft drink industry’s corporate health promotion strategies to help inform the debate over whether and how to engage with the packaged and fast food industry in pursuit of solutions to obesity. What market or political motivations drive corporate health promotion? What market or political resources does the soft drink industry draw on, and how do they enable it to respond in certain ways? What political characteristics are shared across corporate health promotion strategies? How does corporate health promotion amplify the political power and influence of the soft drink industry? What challenges does the soft drink industry face?

In light of these aims, this thesis seeks to address the following overarching research question:

**How and why has the soft drink industry attempted to position itself as “part of the solution” to obesity?**

This research question guides my analysis of the soft drink industry’s corporate health promotion strategies and enables me to address the two aims of this thesis: to map out and examine the soft drink industry’s corporate health promotion strategies and to interrogate the political dimensions and consequences of the soft drink industry’s corporate health promotion strategies. There are two components to my overarching research question. The *how* component considers the specific corporate health promotion strategies implemented by the soft drink industry to respond to obesity and responds to the first aim of this thesis. The *why* component considers the political and market motivations that guide and shape the soft drink industry’s corporate health promotion strategies and responds to the second aim of this thesis.

As discussed in Chapter 2, the soft drink industry’s responses to obesity are diverse and far reaching. In seeking to *map out and examine the soft drink industry’s corporate health promotion strategies*, I chose to analyse three different facets of the soft drink industry’s response to obesity: its provision of nutrition education and information; its reformulation of soft drinks to reduce calories and sugar; and its engagement with the policy process via the development of self-regulation. I took several considerations into account when selecting these three aspects of corporate health promotion to analyse, which I will elaborate on in the *Units of Analysis* section in this chapter. My analysis of these three strategies is guided by three research sub-questions:

**RQ1: How and why does the Australian soft drink industry promote nutrition education initiatives that focus on calorie<sup>14</sup> counting?**

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<sup>14</sup> The Australian soft drink industry uses the terms *calorie*, *kilojoule* and *energy* in its nutrition communications. Except in the case of quotations from my data, I use the term *calorie*, as this term is used more frequently internationally (Nestle & Nesheim 2012).

**RQ2. How and why does the Australian soft drink industry reformulate sugar-sweetened beverages in response to concerns about calories, sugar and artificial sweeteners?**

**RQ3. How and why does the Australian soft drink industry develop and promote self-regulation to influence its political environment?**

To answer these research questions, I chose a case study research design. In Chapters 4, 5 and 6, I will interrogate research sub-questions 1, 2 and 3 respectively using three case studies of different corporate health promotion initiatives pursued by the Australian soft drink industry. Together, these case studies of three different corporate health promotion strategies offer a more complete understanding of how and why the soft drink industry is responding to obesity. I elaborate on my case study research approach below.

## Case study research design

In this thesis, I employ a case study research design. Yin (2003b, p. 13) defines a case study as:

*An empirical inquiry that investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident.*

A case study approach is appropriate when the context is important to understanding the phenomenon; unlike laboratory experiments where the researcher exerts control over the study conditions, case studies are useful when the researcher cannot or does not want to remove the phenomenon from its context. Of interest to me is how the soft drink industry negotiates challenges to its strategies and the ways that different circumstances enable or constrain its ability to position itself as “part of the solution” to obesity. A case study approach will help me to capture the influence of various political, cultural and nutritional norms and beliefs on the soft drink industry’s responses to obesity and to account for the dynamic and shifting terrain in which the industry operates. A key characteristic of case study researchers is their ability to “recognize patterns of change and stasis across time by noting the duration of their studies, shifts in perspectives and practices, and changes in participants’ situations and resources” (Compton-Lilly 2013, p. 59). Case studies also prioritise detail and richness over generalization (Gerring 2007; Stake 1995). While I

could have examined the soft drink industry's responses to obesity via a comparative study of soft drink industry strategies in different countries, I chose a case study approach because I wanted to know “more about less” rather than “less about more” (Gerring 2011).

As discussed in Chapter 2 (see *Approaches to analysing the politics of corporate health promotion*), other researchers of corporate health promotion use a case study approach. Ken (2014) analysed the normalisation of public-private partnerships through a case study of the Partnership for a Healthier America and the Alliance for a Healthier Generation in the United States. Panjwani and Caraher (2014) analysed the influence of food corporations on public-private partnerships through an analysis of the Public Health Responsibility Deal in the UK. Mello, Pomeranz and Moran (2008) and Nestle (2015b) both analysed the influence of the soft drink industry on public health policy through a case study of the development of voluntary school beverage guidelines in the United States. These case studies provide rich details of the specific initiatives and the relationship between the case and its market and political context. My research approach in this thesis is modelled on these case studies.

In addition to the selection of a research question, Yin (2003b) outlines four further components of case study research design:

- its propositions
- its unit(s) of analysis
- the logic linking data to the propositions; and
- the criteria for interpreting the findings.

In the following sections, I elaborate on each component.

## Propositions

A key proposition guiding this thesis is that corporate health promotion is fundamentally a political strategy with both political motives and political consequences. In Chapter 2, I discussed a range of political benefits that corporate health promotion has been shown to provide the international packaged and fast food industry in the past (see Chapter 2, *The political dimensions of corporate health promotion*). In my

case studies and discussion chapter (Chapters 4-7), I will analyse the extent to which we can observe similar political consequences for the Australian soft drink industry. What similarities exist between my case studies and the international literature analysing other industries or countries? What factors or circumstances are unique to my case studies? In Chapter 7, I will reflect on some of the broader trends that I observe across my case studies.

I also proposed that an analysis of corporate power relations could help to illuminate and explain the political dimensions and consequences of corporate health promotion and further, that it is possible to differentiate between an oppositional manifestation of power, characterised by threats and criticisms and a conciliatory manifestation of corporate power, characterised by concessions and promotion of the industry's good behaviour (see Chapter 2, Table 6). In my case studies, I will identify the different manifestations of corporate power observed in the Australian soft drink industry's corporate health promotion strategies. In Chapter 7, I will analyse and interpret my findings to explore how corporate health promotion amplifies corporate power relations and facilitates a favourable political environment for the soft drink industry.

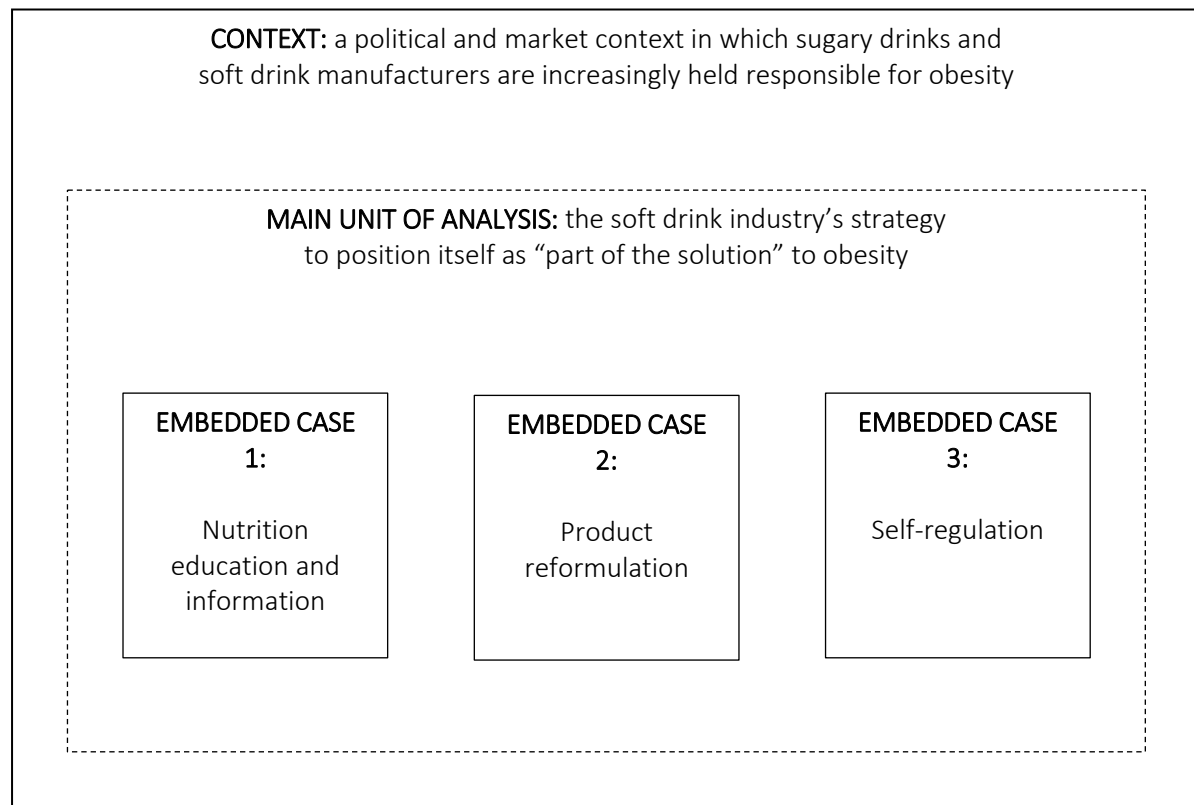
## Units of analysis

To address my overarching research question (**How and why has the soft drink industry attempted to position itself as “part of the solution” to obesity?**), I employ an embedded, single-case design. Embedded case studies have a *main unit of analysis* (the case) as well as *embedded cases* that all share a common context (Yin 2003b). The *main unit of analysis* is the contemporary phenomenon subject to inquiry. In this thesis, the main unit of analysis is the soft drink industry's strategy to use corporate health promotion to position itself as “part of the solution to obesity.”

My main unit of analysis has three embedded cases that each examine a different corporate health promotion initiative: the provision of nutrition education and information about calories; product reformulation to reduce calories and sugar; and the development and promotion of voluntary self-regulation. My analysis of these case studies is guided by my three research sub-questions (see this chapter, *Thesis aims and research questions*). Each embedded case study is analysed in a separate case study

chapter in this thesis (Chapter 4, 5 and 6). These embedded cases share the same context as my main unit of analysis: a political and market context in which sugary drinks and soft drink manufacturers are increasingly held responsible for obesity (see Chapter 1, *Holding the soft drink industry accountable for obesity*). A visual representation of my case study design is presented in Figure 7.

Figure 7: Case study design



I have chosen to examine three embedded cases to help to explore the different political dimensions and consequences of each corporate health promotion strategy. Essentially, each embedded case study allows me to consider the *how* and *why* components of my overarching research question in relation to a different corporate health promotion initiative. In doing so, this enables me to interrogate the different market and political drivers of specific corporate health promotion initiatives as well as the different political consequences of each strategy. In Chapter 7, I will discuss my key findings from the case studies and provide a deeper analysis of the soft drink industry's political strategy to position itself as "part of the solution to obesity." I will consider the similarities and shared trends between my three case studies and elaborate on the political benefits that this strategy offers the soft drink industry as well as the challenges that it presents for the public health nutrition community.

In choosing to focus on these three strategies, I have taken several considerations into account. First, I focus on responses that are presented as conciliatory/positive—the so-called corporate social responsibility or corporate health promotion activities (Herrick 2009; Ken 2014; Powell 2014; Richards et al. 2015). As noted in Chapters 1 and 2, this thesis seeks to build on and contribute to Nestle’s (2015b) seminal case study of the soft drink industry. *Soda Politics* canvases a wide range of the political strategies used by the soft drink industry to minimise blame for its industry and position its industry as “part of the solution” to obesity. Much of the book examines the negative strategies of the industry (for example funding counter research, lobbying politicians and funding front groups to oppose unwanted policies); Nestle’s analysis of conciliatory/positive responses focuses predominantly on the use of relationships and partnerships (Chapters 18-20 in *Soda Politics*). The topics of my three case studies (calorie-focused nutrition education and information, product reformulation and self-regulation) receive comparatively less attention in Nestle’s analysis. As such, these three case studies deepen our understanding of the soft drink industry’s conciliatory responses to obesity and contribute to Nestle’s (and others) analyses of corporate health promotion.

Second, I want to capture the diversity of the soft drink industry’s responses to obesity and the spectrum of strategies and tactics employed. The three strategies I focus on illustrate the soft drink industry’s responses to different types of threats: scientific evidence linking sugary drinks to obesity; market backlash against some of its products; and proposed or enacted policies and regulations targeting the industry and its products. Further, the soft drink industry’s strategy to voluntarily restrict marketing to children has already received significant scrutiny and analysis in the international literature (Caraher, Landon & Dalmeny 2006; Hawkes & Harris 2011; Hawkes & Lobstein 2011; Jensen & Ronit 2015a; Kunkel et al. 2014; Ronit & Jensen 2014; Sacks et al. 2015) and Australian literature (Hebden et al. 2010; Kelly 2012; Kelly et al. 2011c; Kelly & Chapman 2007; Kelly et al. 2008; Kelly et al. 2007; King et al. 2011). Thus, I have chosen to focus on other strategies that have received comparatively less attention. Analysing a range of corporate health promotion strategies also provides the opportunity to examine the different manifestations of corporate power within each strategy and interrogate whether and how the different corporate health promotion strategies amplify the political power and influence of the soft drink industry.

Third, I focus on these three aspects of the soft drink industry's response to obesity because they are areas where the industry faces numerous challenges from a variety of stakeholders and circumstances. The Coca-Cola Company's promotion of energy balance has come under renewed scrutiny following the publication of its funding of the Global Energy Balance Network in the New York Times (O'Connor 2015). Consumer backlash against diet soft drinks using artificial sweeteners has complicated the soft drink industry's reformulation initiatives (Esterl 2015). And corporate involvement in nutrition policy faces continued and ongoing scrutiny (Cullerton et al. 2016; Freudenberg 2014; Mialon et al. 2016a, 2017; Nestle 2013). As discussed in Chapter 1, this thesis seeks to contribute to the growing body of scholarship analysing and interrogating the political power and influence of the soft drink industry. Alongside this scholarly interest, many public health advocates are actively seeking to challenge and address the disproportionate influence of the packaged and fast food industry over food and nutrition policies (Nestle 2015b; Simon 2006; Zoller 2016). Public health campaigns in support of sugary drink taxes around the world have drawn attention to the political machinations of the soft drink industry and publicised its oppositional political strategies (Mejia et al. 2014; Niederdeppe et al. 2013; Tselengidis & Östergren 2018). Further analysis of the vulnerabilities of the soft drink industry's corporate health promotion strategies can offer avenues for public health advocates to challenge the power of the soft drink industry. In each of my case studies, I will identify and examine political and market challenges that the soft drink industry's corporate health promotion strategies face.

### Linking data to the propositions and establishing criteria for interpreting the findings

These final components of case study design correspond with the researcher's approach to data analysis. Yin (2003b) notes that these aspects of research design are often poorly developed in case studies; for this reason, I elaborate on my analytical approach in more depth below as well as in each case study chapter.

A touchstone of qualitative research is that data collection and analysis are frequently ongoing and concurrent (Denzin & Lincoln 1994; Miles & Huberman 1994). While my research approach is informed by my propositions, I will remain open to the emergence of data that challenges or does not easily fit with my propositions. Berg (2001, p. 18) asserts that the relationship between theory and research is not a linear relationship, but rather "spiralling" in nature. He notes that,

*In the proposed approach, you begin with an idea, gather theoretical information, reconsider and refine your idea, begin to examine possible designs, re-examine theoretical assumptions, and refine those theoretical assumptions and perhaps even your original or refined idea. Thus, with every two steps forward, you take a step or two backward before proceeding any further. What results is no longer a liner progression in a single forward direction. Rather, you are spiralling forward, never actually leaving any stage behind completely.*

Creswell (2003) similarly notes that a flexible approach to the relationship between theory and data allows for adjustments and modifications as required throughout the research process. My analysis of the Australian soft drink industry's responses to obesity will take this approach. As my data collection progresses, I will continually return to and refine my theoretical assumptions.

Further, a key strength of case studies is their ability to account for the way that contextual conditions can influence the phenomena under consideration, especially when the boundary between the context and the phenomenon is blurred. This blurred boundary is indicated in Yin's (2003b) model of case study designs (and Figure 7 in this chapter), where the dotted lines signify that the "boundaries between the case and the context are not likely to be sharp." The phenomenon I examine in this thesis (the soft drink industry's strategy to position itself as "part of the solution" to obesity) simultaneously *influences* and *is influenced by* its context (a political and market context in which sugary drinks and soft drink manufacturers are increasingly held responsible for obesity). Attention to the reciprocal influence of the context on the phenomenon (for instance how the proposal of a sugary drink tax influences the soft drink industry's corporate health promotion strategy) and the phenomenon on its context (for instance how the soft drink industry's voluntary roll out of calorie labelling influences the public debate about front-of-pack labelling) is important to my understanding and interpretation of how and why the soft drink industry is responding to obesity. Attention to the influence of market and political contexts on industry initiatives is also an important feature of the exemplary approaches to analysing the politics of corporate health promotion discussed in Chapter 2—see for example Hawkes and Harris (2011) and Mello, Pomeranz and Moran (2008).

Analysis of my overarching research question will proceed in two phases. In Chapters 4, 5 and 6, I will analyse my three embedded cases. Each embedded case examines how and why the Australian soft drink industry has pursued a specific strategy as a response to obesity. Each case study also explores how the

soft drink industry's corporate health promotions strategies evolve and change over time, an approach which builds on and complements research on the evolution of corporate health promotion strategies in the United States (Nixon et al. 2015; Scott & Nixon 2017) (see *Approaches to analysing the politics of corporate health promotion* in Chapter 2). These three case studies each map out and scrutinise one of the Australian soft drink industry's corporate health promotion initiatives. In each case study, I will also identify different manifestations of corporate power as well as some of the opportunities and challenges that the Australian soft drink industry's corporate health promotion strategies face. Because each embedded case deals with a different industry strategy, I will use different analytical approaches. My analysis and interpretation of my findings is informed by the food studies and public health nutrition scholarship examining the political power and influence of the packaged and fast food industry.

In my first case study (Chapter 4), I analyse how and why the Australian soft drink industry promoted nutrition education initiatives that focused on calorie counting. To help explain the political drivers and consequences of the soft drink industry's calorie counting initiatives, I draw on Bacchi's (1999, 2009) "what's the problem represented to be?" approach to policy analysis and issue framing scholarship. These analytical approaches analyse communication strategies and help to explain how and why stakeholders promote differing interpretations of issues and solutions (such as the causes of and solutions to obesity) and the different factors that make some interpretations/frames more influential or powerful than others. Several of the exemplary studies discussed in Chapter 2 (*Approaches to analysing the politics of corporate health promotion*) draw on issue framing scholarship to analyse the political consequences of corporate health promotion (Dorfman et al. 2012; Ken 2014; Nixon et al. 2015; Scott & Nixon 2017). I also draw on corporate power scholarship that highlights the importance of legitimacy for corporate frames (Clapp 2009; Fuchs 2005; Sell 2009; Williams 2009). I elaborate on my research approach in more depth in Chapter 4.

In my second case study (Chapter 5), I analyse how and why the Australian soft drink industry reformulated sugar-sweetened beverages in response to concerns about calories, sugar and artificial sweeteners. To help explain the political drivers and consequences of the soft drink industry's reformulation strategy, I draw on Scott and Nixon's (2017) historical analysis of the market, political and

health drivers of product reformulation in the packaged food and beverage industry. I also extend their analysis of the health drivers shaping reformulation practices to account for consumer ambivalence about the healthfulness of artificial sweeteners. I build on De la Peña's (2010) analysis of the cultural and political drivers of artificial sweetener acceptance to help explain the soft drink industry's more recent foray into plant-based sweeteners such as stevia. I elaborate on my research approach in more depth in Chapter 5.

In my third case study (Chapter 6), I analyse how and why the Australian soft drink industry developed and promoted self-regulation to influence its political environment. To help explain the political drivers and consequences of the soft drink industry's self-regulation initiatives, I draw on literature analysing corporate political strategies, including: Corporate Political Activity scholarship analysing the political tactic of *policy substitution* (Mialon, Swinburn & Sacks 2015; Savell, Gilmore & Fooks 2014); tobacco control scholarship that interrogates industry motives to develop and promote self-regulation (Fooks et al. 2013; Fooks et al. 2011; Mamudu, Hammond & Glantz 2008); and corporate power scholarship that analyses the emergence and consequences of corporate "rule-making" power (Clapp & Fuchs 2009b; Clapp & Scrinis 2017; Falkner 2003; Fuchs 2007). I elaborate on my research approach in more depth in Chapter 6.

In Chapter 7, I provide a deeper analysis of the political dimensions and consequences of the soft drink industry's overarching strategy to position itself as "part of the solution" to obesity. Specifically, I consider how the soft drink industry's corporate health promotion strategies may amplify the soft drink industry's political power and influence. Following engagement with the scholarly literature on corporate political power and influence in the food system (see Chapter 2, *Corporate Power*), I conceptualise the relationship between corporate health promotion strategies and corporate political power and influence as reciprocal (visualised in Figure 8).

Figure 8: Relationship between corporate health promotion and corporate political power

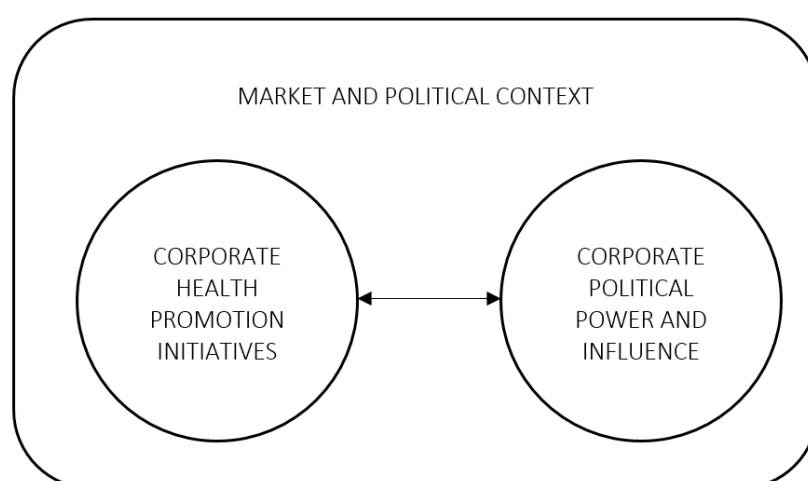


Figure 8 captures two key facets of the relationship between corporate health promotion and corporate political power and influence: first, there is a bidirectional relationship between political influence and the ability of the soft drink industry to position itself as “part of the solution” to obesity; and second, the soft drink industry’s political strategies and political influence are embedded in and mediated by a structural context of enabling and disabling market and political conditions.

The above section details the overarching research design of this thesis and the methods by which I analysed my data. In the following section I discuss my key data sources and collection strategies.

## Data sources and collection

### Stakeholder selection

Following the approach of Nestle (2015b), this thesis predominantly focuses on the actions of the largest Australian soft drink manufacturers and their trade associations—so called Big Soda. For this thesis, I focus on two soft drink industry stakeholders: the Australian Beverages Council (ABC) and Coca-Cola Australia (collectively Coca-Cola Amatil and Coca-Cola South Pacific) (see Chapter 1, *The Australian soft drink industry*). The ABC and Coca-Cola Australia took a leading role in representing the interests and positions of the Australian soft drink industry in the obesity debates in Australia. Together, they are the public voice of the Australian soft drink industry.

The ABC took a lead role in the debates about how to respond to obesity in Australia and in positioning the soft drink industry in those responses. As part of my initial scoping study, I examined the websites and publications of other sugar stakeholders in Australia including: Canegrowers, the Australian Sugar Industry Alliance and the Sugar Research Advisory Service (which represent the interests of Australian sugar growers/producers); Dairy Australia, Legendairy and Fruit Juice Australia (which represent the interests of manufacturers of non-soft drink sugary drinks such as flavoured milks and fruit juice); the Confectionery Manufacturers of Australasia (which represent the interests of confectionary manufacturers); the Australian Food and Grocery Council (which represents the interests of the Australian food industry and includes both Coca-Cola Australia and PepsiCo Australia and New Zealand as members); and the Australian Industry Group (which represents the interests of Australian businesses more broadly). These associations were sometimes involved in the debates about obesity, sugar consumption or the role and responsibility of the packaged food and beverage industry in developing and implementing solutions to obesity (especially the Australian Food and Grocery Council and the Sugar Research Advisory Service). However, I found that the ABC played a leading role in the debates about the health harms of soft drinks specifically as well as the debates about whether and how the Australian soft drink industry could be “part of the solution” to obesity. Therefore, I focused on the Australian Beverages Council as the key trade association in Australia actively trying to position the soft drink industry as “part of the solution” to obesity.

I examined the websites of all members of the Australian Beverages Council to see which beverage manufacturers actively participated in the obesity debates or sought to position themselves as “part of the solution” to obesity in Australia. I also examined the submissions of sugary drink manufacturers to the 2012 Draft Australian Dietary Guidelines (which were publicly available). Of the ABC’s 49 members in 2014, only Coca-Cola Australia had an active strategy to position the soft drink industry as “part of the solution” to obesity (indicated by a website, multiple sustainability reports discussing the company’s anti-obesity initiatives and two submissions to Australian nutrition policies). While Schweppes, Lion and PepsiCo are also large soft drink manufacturers in Australia, I did not focus on these companies as they did not actively participate in the debates about soft drinks and obesity in Australia. Therefore, I focused

on Coca-Cola Australia as the key soft drink manufacturer in Australia actively trying to position itself as “part of the solution” to obesity.

As discussed in Chapter 1, the range of sugary drinks produced by Coca-Cola Australia and other Australian beverage manufacturers is vast. In narrowing the scope of stakeholders and issues that I would examine in this thesis, I chose to focus predominantly on the soft drink industry’s defence of carbonated soft drinks (such as the flagship brand Coca-Cola). Further, while both fruit juice and flavoured milk are classified as free sugars in the WHO’s (2015) guideline on sugars intake, these beverages do not face the same intensity of regulatory threats and public campaigns as sugary soft drinks (see Chapter 1, *Holding the soft drink industry accountable for obesity*). The distinction between sugary soft drinks, fruit juice and flavoured milk is further exemplified in three separate submissions made to the 2012 Draft Australian Dietary Guidelines by the Australian Beverages Council (which defended sugary drinks generally), Fruit Juice Australia (which argued that fruit juice was nutritious unlike sugary drinks) and Dairy Australia (which argued that flavoured milk was nutritious unlike fruit juice and other sugary drinks) (Australian Beverages Council 2012; Dairy Australia 2012; Fruit Juice Australia 2012). This distinction points to an interesting fracture between manufacturers of different sugary drinks, however I did not explore this industry debate in this thesis. Instead, like Nestle (2015b), I focused on the Australian soft drink industry’s defence of its flagship soft drinks.

## Data collection

I used two main sources of data in this research: publicly available industry documents and websites and publicly available policy documents. I also conducted semi-structured interviews early in the research process, although I do not use direct quotes from my interviews in my case studies. These interviews contributed to my background knowledge of how the soft drink industry was responding to obesity and influenced the direction that my research took as well as my data collection and analysis strategies. They also helped to inform and refine my understanding of the Australian nutrition policy landscape, the key debates and actors and the perceptions of different stakeholders about the industry’s responses.

I drew on a different dataset for each case study chapter (although some documents were part of the dataset for more than one case study). The following sections detail my data collection strategies.

### *Industry data sources*

Key sources for industry data were the websites of the Australian soft drink manufacturers and trade associations selected for analysis: Coca-Cola Australia and the Australian Beverages Council (Table 7).

*Table 7: Australian soft drink industry stakeholder websites*

| STAKEHOLDER                         | COMPANY/ASSOCIATION     | WEBSITE                                                                                                                                                                                                                                                      |
|-------------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Coca-Cola Australia</b>          | Coca-Cola South Pacific | <a href="http://www.coca-colajourney.com.au/">http://www.coca-colajourney.com.au/</a>                                                                                                                                                                        |
|                                     | Coca-Cola Amatil        | <a href="https://www.ccamatil.com/">https://www.ccamatil.com/</a>                                                                                                                                                                                            |
| <b>Australian Beverages Council</b> | Australian Beverages    | <a href="http://www.australianbeverages.org/">http://www.australianbeverages.org/</a>                                                                                                                                                                        |
|                                     | Council                 | <a href="http://web.archive.org/web/*/http://www.australianbeverages.org/">http://web.archive.org/web/*/http://www.australianbeverages.org/</a><br><a href="http://web.archive.org/web/*/softdrink.org.au">http://web.archive.org/web/*/softdrink.org.au</a> |

Coca-Cola Australia has both a consumer-facing website run by Coca-Cola South Pacific (the regional marketing arm of The Coca-Cola Company) and a business-facing website run by Coca-Cola Amatil (the regional bottler for The Coca-Cola Company). As Coca-Cola Amatil produces products other than sugary drinks (it also owns SPC Ardmona and several alcoholic beverage brands), only the sections pertaining to non-alcoholic beverages were searched.

The Australian Beverages Council has a consumer-facing website in which it discusses its position on different issues relevant to its industry, including container deposit schemes (an environmental issue) as well as obesity, dental health and sugar. In addition to representing the Australian soft drink industry, it also represents the interests of bottled water and fruit juice manufacturers through the Australian Bottled Water Institute and Fruit Juice Australia. For this thesis, only its activities and communications relevant to soft drinks were analysed.

In addition to accessing documents from the ABC's current website, I also used the Wayback Machine to access historical website data from the ABC. The Wayback Machine is a not-for-profit digital archive that allows the public to access historical website content (Arora et al. 2016). While methodological challenges exist (such as incomplete datasets or the possibility of missing key documents through automated web scraping tools), web archives present a relatively new data source that can complement existing data sets (Arora et al. 2016; Gorsky 2015; Harrison 2004; Lomborg 2012). I used the Wayback Machine to access

archived website data from the ABC's website between 2004 and 2017. I also accessed archived website data from an earlier version of its website (softdrink.org.au) that existed between 1998 and 2004. The Australian Beverages Council's two websites were archived a total of 381 times between 1998 and 2017. The timing and frequency of the archives varied between years (the website was crawled four times in 1998 and 30 times in 2012). To avoid bypassing key documents, I manually examined the first web archive from each month with archives. In some cases, where I knew key documents could be made available (such as the ABC's launch of its *Commitment* in August 2006), I searched every archive around the date to find relevant documents. These historical website archives provide access to earlier versions of policy documents, industry positions on nutrition issues, media releases and data on some of the industry's political strategies to respond to obesity. As noted in Chapter 2, *Approaches to analysing the politics of corporate health promotion*, access to novel data sources can provide important insights into corporate political motivations and strategies.

In addition to the websites of Coca-Cola Australia and the ABC, I also sourced documents from the websites of other soft drink industry stakeholders including: The Coca-Cola Company, PepsiCo Australia and New Zealand and the Australian Food and Grocery Council (Table 8).

Table 8: Soft drink industry stakeholder websites

| STAKEHOLDER              | COMPANY/ASSOCIATION                 | WEBSITE                                                                         |
|--------------------------|-------------------------------------|---------------------------------------------------------------------------------|
| Soft drink manufacturers | The Coca-Cola Company               | <a href="http://www.coca-colacompany.com/">http://www.coca-colacompany.com/</a> |
|                          | PepsiCo Australia and New Zealand   | <a href="https://www.pepsico.com.au/">https://www.pepsico.com.au/</a>           |
| Trade Associations       | Australian Food and Grocery Council | <a href="https://www.afgc.org.au/">https://www.afgc.org.au/</a>                 |

In several annual reports and investor presentations, Coca-Cola Australia noted company policies that had originated with the global company, The Coca-Cola Company. Thus, I also examined the *Investor Information* section of the company's global website for information about the company's global strategies that were relevant to its Australian branch (including the Annual Reports, Sustainability Reports, investor presentations and transcripts of The Coca-Cola Company). In my first case study (analysed in Chapter 4), I examined the different nutrition education and information commitments made by Australian soft drink companies. For this case study, I also examined the commitments discussed by PepsiCo Australia and New Zealand on its website as well as the Australian Food and Grocery Council's (AFGC's) Daily Intake

Guide and the Healthier Australia Commitment (as both Coca-Cola Australia and PepsiCo Australia and New Zealand were signatories). I sourced these documents from the websites of PepsiCo Australia and New Zealand and the AFGC.

In addition to digitally sourced documents, I sourced yearbooks published by the Australian Beverages Council between 1998 and 2009 from Australian state libraries.<sup>15</sup> I photographed each page of the yearbooks to create a digital version of the books for reference on my computer.<sup>16</sup> The yearbooks ranged in length from 25 to 72 pages and covered a range of topics including: messages from the ABC president, industry statistics, ABC policies, activity summaries from ABC committees (such as issues management and scientific and regulatory affairs), ABC member lists and governance structure, presentations from the ABC's annual conference *AusDrinks*, lobbying activities, state beverage council reports, reports on current issues (e.g. container deposit schemes, functional foods, school canteen guidelines, Codex Alimentarius, etc.), information about the International Council of Beverage Associations (ICBA) and information about the ABC's other divisions: Fruit Juice Australia and the Australasian Bottled Water Institute. These yearbooks have not previously been identified or used as a data source to analyse the Australian soft drink industry's corporate health promotion strategies.

From the websites listed in Tables 7 and 8 and the ABC's Yearbooks, I sourced the following types of industry documents: published commitments, annual reports, sustainability reports, factbooks, minutes from annual general meetings, investor presentations and transcripts, newsletters, media releases, corporate blog articles, webpages and industry funded research and reports. I sourced policy submissions and oral presentations (e.g. *The Australian Beverages Council Submission to: NHMRC Australian Dietary Guidelines*) from both industry websites as well as the relevant government department's website. Except for the 2012 and 2016 Annual Reports from the Australian Beverages Council, all other documents were publicly available from industry websites.<sup>17</sup> Table 9 summarises the key industry documents used in this

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<sup>15</sup> I discovered the existence of these yearbooks reading the minutes of the ABC's 2005 AGM, which mentioned that further discussion of media issues around soft drinks could be found in the ABC's yearbook. Further desktop research and conversations with librarians in Victoria and New South Wales resulted in the identification of 12 yearbooks published between 1998 and 2009.

<sup>16</sup> While I could source some yearbooks locally at the State Library of Victoria, others I requested through inter-library loans. Two yearbooks were only available in offsite storage at the State Library of NSW.

<sup>17</sup> I requested and received the 2012 report from the ABC. In 2017, the ABC released its 2016 report on Twitter.

thesis. In each of my case studies, I identify the specific documents used and my analytical approach (see *Data collection and analysis* in Chapters 4, 5 and 6).

Table 9: Key industry data sources for case studies (Chapters 4-6)

| STAKEHOLDER                         | DATA SOURCE                         | PERIOD     | DOCUMENTS |
|-------------------------------------|-------------------------------------|------------|-----------|
| Coca-Cola South Pacific             | Coca-Cola Journey Website           | 2013-2017  | 63        |
|                                     | Policy submissions                  | 2008, 2010 | 2         |
| Coca-Cola Amatil                    | Sustainability Reports              | 2006-2016  | 7         |
|                                     | Annual Reports                      | 1983-2016  | 30        |
|                                     | Factbooks                           | 2005-2015  | 10        |
|                                     | Annual General Meetings*            | 2005-2017  | 33        |
|                                     | Investor presentations              | 2005-2017  | 15        |
| The Coca-Cola Company               | Investor presentations              | 2015-2016  | 4         |
|                                     | Sustainability reports              | 2011-2015  | 5         |
| PepsiCo Australia and New Zealand   | Current website                     | 2015       | 3         |
| Australian Beverages Council        | Current ABC website                 | 2015-2018  | 111       |
|                                     | Archived ABC website(s)             | 1998-2012  | 79        |
|                                     | Yearbooks                           | 1998-2009  | 12        |
|                                     | Annual Reports                      | 2006-2016  | 11        |
|                                     | AGM minutes                         | 2004-2010  | 7         |
|                                     | Newsletters                         | 2006-2009  | 20        |
|                                     | Policy submissions                  | 2007-2016  | 8         |
|                                     | Oral presentations to Parliament    | 2008, 2016 | 2         |
|                                     | Industry funded papers and reports  | 2007-2016  | 14        |
|                                     | Media statements                    | 2011-2017  | 159       |
|                                     | Commitments and position statements | 1998-2009  | 12        |
| Australian Food and Grocery Council | Commitments                         | 2011, 2012 | 2         |

\* Relevant AGM documents include: Chairman's address, Chairman's presentation slides, Managing Director's address and Managing Director's presentation slides.

### Government documents

For my initial scoping study, I identified and examined a range of Australian health and nutrition government documents including: the Australian Dietary Guidelines, state and national Canteen Guidelines, the National Obesity Task Force, the National Preventative Health Taskforce, The Review of Food Labelling Law and Policy and the Health Star Rating System. In addition to reading these policies and draft papers, I also examined the publicly available information about committee membership and the minutes of committee meetings to assess the extent to which the soft drink industry was directly involved in the development of health and nutrition policies in Australia. I examined submissions from industry and public health stakeholders to the Draft 2012 Australian Dietary Guidelines (submissions to previous dietary guidelines were not publicly available). I also examined the frequency with which industry and public health stakeholders mentioned different health concerns or causal factors for obesity in their submissions to the 2012 Draft Australian Dietary Guidelines.

## *Interviews*

To enhance my understanding of the political context of the soft drink industry's responses to obesity and to guide my data collection strategy, I conducted interviews with 19 policy stakeholders. Originally, I intended to use these interviews as a data source for my case studies to offer multiple perspectives on how and why the soft drink industry was responding to obesity. However, the Australian soft drink industry declined to participate in interviews, and as I will discuss below, most of my interviews were with public health stakeholders. I obtained ethics approval for these interviews from the University of Melbourne's Human Research Ethics Committee. My application and letter of approval are included in Appendix 2: *Ethics Application and Approval Letter*.

Based on a scoping study of the key stakeholders and policy debates, I initially identified Australian industry, government and public health stakeholders who had been involved in nutrition policy or were active in nutrition debates. Participants were contacted through publicly available contact details. I also used a snowball sampling strategy to identify additional participants for this study, whereby each participant was asked to nominate other relevant stakeholders. Participants introduced me to potential interview participants through an introductory email sent on my behalf. I contacted all interview participants via email and sent them an introductory letter, an explanatory statement about the purpose of the research and a consent form (Appendix 3 *Interview Recruitment*).

I interviewed 17 public health, 1 government and 1 industry stakeholder for a total of 19 interviews. I conducted 12 interviews in person and seven over the phone. As is evident from the sample distribution, it was relatively easy to access public health stakeholders. While I contacted several government and industry stakeholders, they either did not respond or declined to participate. I used a semi-structured interview format with guiding questions (provided in Appendix 4: *Interview Topic Guide*). With the participant's consent, I recorded each interview. I transcribed four of the interviews and used a professional transcription service for the other 15. Participants were given the opportunity to review and revise their transcripts, a process known as "member-checking" in case study research (Yin 2003a)

My challenges in accessing industry stakeholders as well as government stakeholders are shared with other PhD researchers in this field. In her thesis on corporate political activity, Mialon (2016) noted some of

the challenges of accessing industry informants and the barriers that non-disclosure and confidentiality agreements present. Scott (2017) experienced similar challenges recruiting industry participants for interviews in her thesis on nutrition policy making in the United States. In addition, both Baker (2014) and Cullerton (2017) noted the challenges of accessing and interviewing “policy elites” and “important political actors” in their theses on the development of obesity policy (Baker) and nutrition policy (Cullerton) in Australia. In contrast, Reeve (2014) found that the AFGC was “receptive” to her requests for interviews for her thesis on Australian industry self-regulation and helped her to contact and recruit participants. In reflecting on the challenges she experienced in contacting and recruiting alcohol industry participants for her research, Reeve (2014, p. 153) noted that the industry’s reticence “seemed to be related to its history of interactions with public health researchers... industry actors were concerned about my motivations and whether I would simply reproduce the criticisms of other researchers.” Reeve (2014, p. 162) surmised that willingness of the food industry to participate in her research was partly due her status as an “outsider” from a law school with no “background in public health, food or alcohol policy research.” A consistent theme is the industry’s concern that research outcomes will portray its industry or company in a negative light and damage its reputation (a point specifically made in a rejection email I received from a beverage manufacturer). This issue has been explored by Herrick (2011, 2016a, 2016b), who argues that the mutual suspicion between the public health and food/alcohol industry communities both reflects and is a consequence of the debate within the public health community about how to engage with the food industry.

My interviews with public health researchers offered useful insights into the public health community’s perceptions of the soft drink industry’s responses to obesity. This dataset therefore became a secondary rather than primary source of data for this thesis. In particular, I have used these interviews to contribute to my background knowledge of the Australian nutrition policy environment and the perspectives of different stakeholders of the soft drink industry’s responses to obesity. A key theme that emerged from analysis of my interviews was that Australian government and public health stakeholders held different views about the appropriate response to obesity and how best to regulate the soft drink industry. Some interviewees commented that the industry was especially adept at putting aside their political differences and uniting behind a common message, something that the public health community struggled to do.

There was also a concern within the public health community that its inability to promote a unified message to politicians and the public weakened its position relative to the food industry. In Chapter 7, I will reflect on the political consequences of interest group alliances and fragmentations.

## Conclusion

In the following three chapters (Chapters 4, 5 and 6), I present my case studies of the responses of the Australian soft drink industry to obesity. Each chapter describes the historical and political context of the strategy and provides an in-depth analysis of the motivations guiding the strategies and the tensions and challenges the soft drink industry faces in positioning these strategies as “part of the solution” to obesity. Following these chapters is my discussion chapter (Chapter 7), in which I bring together my three case studies to interrogate what they reveal about the political dimensions and consequences of the Australian soft drink industry’s corporate health promotion strategies. In Chapter 7, I discuss and interpret my findings in light of the scholarly literature on corporate political power and influence in the food system.

## 4. Corporate nutrition education

Using calories to divert attention from sugar

*All calories count, and if you eat and drink more calories than you burn off, you'll gain weight. That goes for Coca-Cola and everything else with calories.*

—The Coca-Cola Company (2013b).

*...what we propose to do will suggest what we believe needs to change. The task then is to open up the problem representations contained in policy proposals to critical analysis, teasing out the presuppositions which lodge there and speculating upon the implications of particular discursive constructions of the problem. Most importantly, there is a need to consider what goes unproblematized in particular discursive constructions.*

—Bacchi (1999, p. 207)

## Introduction

This chapter addresses the first research sub-question of this thesis:

**RQ1: How and why does the Australian soft drink industry promote nutrition education initiatives that focus on calorie<sup>18</sup> counting?**

As part of its strategy to position itself as “part of the solution” to obesity, the soft drink industry, along with the packaged and fast food industry, has pledged to educate consumers about “healthy lifestyles” and “balanced diets” (International Food and Beverage Alliance 2009, 2017a). The soft drink industry does this in multiple ways: it sponsors sport and nutrition education programs in schools (such as *Balance First, Step With It!* and *Energy Balance 101* in the United States); it funds research organisations (such as Exercise is Medicine and the Global Energy Balance Network); and it runs media campaigns advising consumers to “balance what you eat and drink with what you do” (Gertner & Rifkin 2017; Nestle 2015b; Powell & Gard 2014; Sallis 2009; Simon 2006). In these initiatives, the soft drink industry promotes the message of *energy balance*: to avoid weight gain, individuals must balance calorie consumption (diet) with calorie expenditure (exercise) (Nestle 2015b).

A key criticism of the soft drink industry’s nutrition education initiatives is that they usually focus on the exercise component of energy balance. Public health experts argue that this minimises the culpability of soft drinks in obesity and allows the industry to improve its public image via sports sponsorship (Dorfman et al. 2012; Gertner et al. 2016; Gomez et al. 2011; Karnani, McFerran & Mukhopadhyay 2014; Nestle 2015b). Here, I focus on the soft drink industry’s educational initiatives that focus on the consumption side of the energy balance equation. Nestle (2015b, p. 238) notes that Coca-Cola’s nutrition education programs teach that “balance, variety and moderation are the fundamentals of good nutrition. All calories count.” In this chapter, I analyse whether and how the Australian soft drink industry presents nutrition education about calorie counting as a solution to obesity, and how this solution presupposes a specific and narrow understanding of the health problems associated with soft drinks.

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<sup>18</sup> The Australian soft drink industry uses the terms *calorie*, *kilojoule* and *energy* in its nutrition communications. Except in the case of quotations from my data, I use the term *calorie*, as this term is used more frequently internationally (Nestle & Nesheim 2012).

In this chapter, I use a case study of the Australian soft drink industry's communications about nutrition, calories and soft drinks to interrogate how the industry interprets and represents the relationship between soft drinks and obesity. I use the Australian soft drink industry's key public-facing anti-obesity initiatives (Coca-Cola Australia's 2013 *Coming Together* campaign and the Australian Beverages Council's 2006 *Commitment Addressing Obesity and other Health and Wellness issues*) as a starting point to examine the different ways that the Australian soft drink industry provides nutrition education and information about its products. In this chapter, I provide a detailed analysis of the Australian soft drink industry's nutrition education programs. I also analyse how the industry's nutrition education programs implicitly and explicitly depict the problem with soft drinks and the consequences of those depictions. What health and nutrition issues does the soft drink industry focus on, and what issues does it ignore? In describing the problem and its causations, how does the soft drink industry interpret nutrition science? Further, in promoting calorie counting as the "right" way to make food choices, what benefits does this offer the soft drink industry?

This case study responds to two gaps in the scholarly literature on the soft drink industry's nutrition education initiatives. First, this chapter builds on the body of literature interrogating how the food industry promotes physical activity as a solution to obesity and considers the industry's promotion of the dietary side of the energy balance equation. This chapter offers a case study of the different ways that calories feature in the Australian soft drink industry's nutrition education initiatives as well as its other statements about the nutritional characteristics of soft drinks. Second, by examining how the message of calorie counting benefits the soft drink industry, this case study contributes to the body of scholarship analysing the political and strategic features of corporate health promotion. This analysis helps to reveal some of the ways that the soft drink industry has captured and co-opted the public health discourse on obesity.

In the following sections I discuss two bodies of scholarship informing this study: first, literature examining how the packaged food and beverage industry promotes the concept of energy balance as part of its corporate health promotion strategies; and second, literature exploring how problems and solutions

are framed and represented in policy debates and the consequences of these representations and framings. Following that, I present my results and conclude with a discussion of my key findings.

## Background

A large body of literature examines the different ways that the packaged food and beverage industry provides information and education to the public about healthy and balanced diets. Public health researchers have raised a number of concerns about corporate health education, especially its emphasis on energy balance and physical activity. Some also question the industry's promotion of calorie counting.

Public health and policy researchers have explored how stakeholder framing can influence how policy makers and the public understand problems, their causes and possible solutions. Public health researchers have also examined how food industry stakeholders strategically frame obesity to minimise corporate blame and responsibility for obesity and the strengths and weaknesses of those frames.

### The food industry's nutrition education: promoting energy balance

The International Food and Beverage Alliance (IFBA) has committed to provide nutrition information and educate consumers about “balanced diets” and “healthy eating awareness” using a range of strategies, including “on-pack labelling, point-of-sale materials, company websites, social media apps, help lines, brochures and newsletters” (International Food and Beverage Alliance 2018). Food and beverage companies have developed school nutrition education curricula in different countries, such as Coca-Cola's *Energy Balance 101* (U.S.), *Step with it, Singapore!* (Singapore), *Balanced Diet—Active Living* (China) and *Coca-Cola Health Camp* (South Korea); Pepsi's *Balance First* and *Get Active Stay Active* (U.S.); and Danone's *Eat like a Champ* (UK) (Nestle 2015b; Powell 2014; Powell & Gard 2014; Simon 2006). Individual companies also provide nutrition information on their websites, such as Nestlé's *Portion Plate Education* and Coca-Cola's *Clear on Kilojoules* initiatives in Australia (Richards et al. 2015). Companies and industry associations have created public campaigns, such as the American Beverage Association's *Mixify* campaign and Coca-Cola's *Happy Calories* campaign, both of which promoted the message to balance calorie consumption with calorie expenditure (Nestle 2015b). The food industry has also developed front-of-pack nutrition labels, which provide information on calorie content, portion guidance and “key nutrients of public health

concern” (International Food and Beverage Alliance 2018). Collectively, these initiatives educate consumers about the food industry’s position on the diet and health issues relevant to its products.

Public health researchers have raised several criticisms of the food industry’s uptake of nutrition education. One criticism is that corporate nutrition education programs serve to “harmonise” the otherwise “antithetical” ideas of health promotion and junk food (Powell & Gard 2014). Like other corporate health promotion initiatives, nutrition education initiatives foster partnerships between the public and private sector; these connections facilitate political influence, an issue I will elaborate on in Chapter 6 (Dixon, Sindall & Banwell 2004; Gilmore, Savell & Collin 2011; Hawkes & Buse 2011; Ken 2014; Kraak et al. 2012). Educational initiatives also individualise responsibility for health and wellness, locating the burden of responsibility on consumers and, in the case of school nutrition programs, on children (Jette, Bhagat & Andrews 2016; Lang & Rayner 2005; Powell 2014; Powell & Gard 2014). Framing obesity as an educational problem distracts from other structural determinants of health, such as the availability or affordability of healthy foods (Jenkin, Signal & Thomson 2011; Powell 2014). Public health experts assert that a focus on education alone tends to exacerbate existing inequalities in access to healthy foods (Herrick 2009; Saguy & Riley 2005).

This is not to say that public health groups oppose all education initiatives—health promotion is at the core of many public health programs. Rather, they argue that nutrition education must be part of a broader policy package that addresses the food system and food environments (Hawkes et al. 2012; Hawkes, Jewell & Allen 2013; Lang & Rayner 2007). Lang and Rayner (2007), for instance, note that health education must be coupled with policy changes in agriculture, manufacturing, retail, culture, trade and the economy. The NOURISHING framework similarly proposes nutrition education as part of a broader package of policy initiatives including food subsidies, advertising restrictions, product reformulation, planning restrictions on food outlets and supply chain incentives (Hawkes, Jewell & Allen 2013). Within the NOURISHING framework, nutrition labelling is classified as a food environment policy; however, the framework notes that labels perform the dual functions of influencing people’s “awareness” of sugar in products as well as limiting the “availability” of sugar via product reformulation (See Chapter 1, *The Regulators*) (World Cancer Research Fund 2015). In this chapter, I focus on the impact

of nutrition labels on consumer “awareness,” and as such I consider them an additional form of nutrition education and information.

A further criticism of corporate nutrition education is that the food industry’s messages do not align with public health messages about sugary drinks. Public health experts have proposed a range of educational initiatives relevant to sugary drinks, including interpretive front-of-pack labelling such as the UK traffic lights, school nutrition programs on interpreting food labelling and public awareness campaigns such as *Pouring on the Pounds* in the US (Thow & Hawkes 2014). These initiatives all highlight the sugar content of sugary drinks, often using warning symbols (such as red traffic light labels) or graphic images (such as images of people drinking liquid fat out of a soft drink container). Similar Australian initiatives include: the Health Star Rating front-of-pack label, dietary guidelines recommending reduced sugary drink consumption, school canteen guidelines classifying sugary drinks as “recommended to limit” and the *Rethink Sugary Drink* and *Live Lighter* campaigns (Commonwealth of Australia 2015; LiveLighter 2014; National Health and Medical Research Council 2013; NSW Department of Education 2017; Rethink Sugary Drink 2016). While many of these health campaigns focus on the issue of obesity, they also draw attention to other health concerns that soft drinks are linked to, such as dental health, type 2 diabetes, heart disease and cancers (Rethink Sugary Drink 2016; World Cancer Research Fund 2015). In contrast to the education campaigns proposed by public health experts that emphasise the harmful levels of sugar in sugary drinks, the soft drink industry’s nutrition education programs promote the messages of energy balance, hydration and physical activity (Nestle 2015b).

Public health experts have criticised the food industry for using the message of energy balance to distract from the role of diets in obesity (Barlow et al. 2018; Herrick 2009; Koplan & Brownell 2010; Kraak, Kumanyika & Story 2009; Powell & Gard 2014). Specifically, public health experts raise concerns about the food industry’s promotion of the “calories out” part of energy balance (Koplan & Brownell 2010; Lewin, Lindstrom & Nestle 2006; Nestle 2015b). These concerns have become increasingly well-publicised. In 2015, a front page article in the New York Times criticized The Coca-Cola Company for funding the Global Energy Balance Network (GEBN), which conducted nutrition research suggesting that, “to maintain a healthy weight, get more exercise and worry less about cutting calories” (O’Connor

2015). In Australia, The Coca-Cola Company received the CHOICE Shonky award for their support of the GEBN, “an organisation supposedly dedicated to helping tackle the obesity crisis—while conveniently ignoring the role that sugary drinks play in weight gain” (Browne 2015). Nestle (2015b, p. 108) refers to the soft drink industry’s claims that “obesity is about physical activity, not what you eat” as the *physical activity diversion*. While public health experts note the inherent benefits of exercise for physical and mental health, they argue that positioning physical activity as the solution to obesity is disingenuous, as it is not realistic to “burn off” the high calorie foods and drinks manufactured and marketed by the food industry (Gertner et al. 2016; Kirk, Penney & Freedhoff 2010; Koplan & Brownell 2010; Nestle 2015b). A large body of literature also examines the public relations and political benefits provided by the food industry’s promotion of physical activity (Gomez et al. 2011; Herrick 2009; Kelly et al. 2011b; Kelly et al. 2011c).

Complementing the scholarship examining the consequences of the food industry’s promotion of physical activity, some researchers have also examined the content of the food industry’s nutrition education messages. Powell (2014) and Powell and Gard’s (2014) research on the food industry’s school nutrition education campaigns contrasts different food industry initiatives. These studies reveal significant differences between the nutritional messages of different food companies. Two educational campaigns from Coca-Cola emphasised the importance of energy balance and the idea that no foods are inherently bad, provided they are consumed in moderation (Powell & Gard 2014). In contrast, a Danone program taught children to make healthy choices based on the UK government’s Eatwell Plate, and a Canadian advertisers’ program taught children about the importance of choosing fruits and vegetables and avoiding the unhealthy choices of “fries or a soft drink” (Powell 2014). This comparison illustrates the diversity and inconsistency of nutrition messages being promoted to children. Further, while the message that there are no “bad” foods is seen consistently across the food industry, the food industry’s interpretation of the “right” food choices is more varied (Gertner et al. 2016; Herrick 2009; Koplan & Brownell 2010; Nixon et al. 2015; Powell & Gard 2014; Simon 2006). The food industry often adopts health messages that it can align with branded messages, such as Kraft’s promotion of “3 a day” dairy consumption that links to its own products (Herrick 2009). Nestle (2015) notes that the soft drink industry promotes the messages of “balance” and “moderation.” The Coca-Cola Company’s anti-obesity campaign *Coming*

*Together* captures the essence of the soft drink industry's explanation of the relationship between its products and obesity: "all calories count, and if you eat and drink more calories than you burn off, you'll gain weight. That goes for Coca-Cola and everything else with calories" (The Coca-Cola Company 2013b).

Public health researchers have raised different criticisms of the soft drink industry's message that "all calories count" and there are no "bad" foods. Nestle (2015b, p. 238) notes that Pepsi's assertion that "energy balance is the critical factor regardless of the food or beverage sources" is "strictly speaking...correct." However, she also notes that the food industry's marketing overrides "normal physiological controls of hunger and satiety." A key point is that Nestle is referring to the issue of weight gain and obesity—not nutrition. In their book *Why Calories Count*, Nestle and Nesheim (2012, p. 4) argue that "when it comes to calories and body weight, how much you eat matters more than what you eat." In their conclusion, however, they add the caveat that "yes, this book is about calories, but we must say it again: nutritional health is about much more. The nutrients in foods matter to health as much as calories do" (Nestle & Nesheim 2012, p. 222). This distinction is made by other public health experts, who note that: "of course good nutrition isn't only about calories; it's also about the actual nutrients (or lack thereof) in food" (Simon 2006, p. 94); and "all calories are not equal; foods with similar caloric content can have markedly different nutrients; eg, 100 calories of broccoli vs 100 calories of french fries or sugared beverage" (Koplan & Brownell 2010, p. 1487). The idea of "empty calories" captures this perspective and highlights the absence of "good" nutrients in soft drinks (Drewnowski & Fulgoni 2014; Nestle 2013; Poti, Slining & Popkin 2014). We can observe that there is general agreement that the soft drink industry's messages that "all calories count," in terms of nutrition, is problematic and misleading. However, when the focus is on the contribution of foods to weight gain and obesity, there is more debate over the relative merit of calorie counting.

The causes and consequences of obesity are complex and multifaceted. However, leading health organisations present energy imbalance as the overarching explanation for weight gain and obesity. According to the World Health Organization (2018), "the fundamental cause of obesity and overweight is

an energy imbalance between calories consumed and calories expended.” Similarly, the Institute of Medicine in the United States, states that,

*The causes of increased obesity in the United States—the influences that have led people to consume more calories (or energy) through food and beverages than they expend through physical activity—are multifactorial, ranging from cultural norms, to the availability of sidewalks and affordable foods, to what is seen on television (Institute of Medicine 2012, p. 2).*

While public health organisations and researchers discuss the role of energy balance in weight gain, they also identify a range of other structural and environmental factors that influence energy balance, such as the marketing, availability and affordability of soft drinks and other ultra-processed foods (Igumbor et al. 2012; Moodie et al. 2013; Taylor & Jacobson 2016).

In the case of soft drinks, public health researchers have proposed a range of factors that could explain the contribution of soft drinks to obesity in addition to their calorie content. One argument is that the fructose in soft drinks (especially those sweetened with high fructose corn syrup) is metabolised differently than fructose and does not trigger the same satiety hormones, which can lead to overconsumption (Lustig 2013; Popkin 2012). A contrasting argument focuses on the glucose in soft drinks (especially sports drinks) and argues that it leads to high blood sugar levels and consequently diminished satiety (Glycaemic Index Foundation 2016). Some nutrition experts assert that the body metabolises foods and beverages differently and conclude that the liquid sugars and calories in soft drinks are less satiating than foods (leading to over consumption) (Drewnowski & Bellisle 2007; Malik, Schulze & Hu 2006). More recently, some researchers question whether sweetness itself is problematic, as some studies have found that the sweetness of diet soft drinks in the absence of calories primes the brain and causes over-compensation later (Fowler et al. 2008; Suez et al. 2014; Yang 2010). These issues of satiety and palatability—as well as the environmental factors shaping energy consumption such as food marketing and availability (factors that are intrinsic to their business models)—are absent from the soft drink industry’s explanations of energy balance.

As noted before, corporate nutrition education programs differ in how they define the “right (healthy)” or “wrong (unhealthy)” way to eat (Powell & Gard 2014). This raises important questions about how different food companies interpret a “healthy diet” and what assumptions underpin these definitions.

Without delving into the scientific debates about the relative merits of focusing on calories, fructose, liquid sugars or other characteristics of soft drinks, we can observe that the relevance of calorie counting depends on whether we are discussing the issue of weight or the issue of nutrition. That is to say, the relevance of the soft drink industry's educational messages about calorie counting hinges on how we conceptualise or *frame* the problem.

## How is the problem framed?

To help unpack the assumptions embedded in the soft drink industry's nutrition education initiatives about the nature of the problem and its causations, I draw on scholarship exploring issue framing in policy debates. Research on issue framing draws attention to how policy solutions can have important consequences for how we understand the nature of the problem, its causes and who or what is responsible. Bacchi's (2009, p. x) "what's the problem represented to be?" approach to policy analysis begins with the proposition that policies do not *solve* problems that exist outside the policy-making process, but instead, policies "by their nature imply a certain understanding of what needs to change." The crux here is that rather than *solving* problems, policies *constitute* problems. Similarly, research on issue framing analyses how frames offer descriptions of issues that include both implicit and explicit explanations of the causes of the problem as well as possible solutions (Entman 1993; Jenkin, Signal & Thomson 2011; Snow & Benford 1988; Weiss 1989).

According to Entman (1993), "framing essentially involves selection and salience. To frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described." Analysis of issue framing interrogates what aspects of an issue are selected and highlighted, and what aspects are omitted or silenced. This analytical approach asks how different representations of the problem or its solutions benefit different stakeholders. Frames can establish the boundaries and tone of political debate; thus, successful framing strategies can have significant political consequences (Benford 1997; Entman 1993; Jenkin, Signal & Thomson 2011). This approach to policy analysis differs from approaches that interrogate the policy process and query how and why some issues ascend the policy agenda whereas others don't (for instance, Sabatier's (1991) Advocacy

Coalition Theory or Kingdon's (1995) Multiple Streams Theory). Rather than focus on the forces influencing the agenda setting process, the "what's the problem represented to be?" approach explores how policy statements represent ways of knowing the world and reflect different values and beliefs (Bastian 2011). Bacchi's (1999, 2009) "what's the problem represented to be?" approach to policy analysis proposes that policy solutions are underpinned by presuppositions about the nature of the problem requiring said solution. Bacchi (2009) proposes a six-step analytical process guided by a series of questions, which are summarised in Appendix 5.

One of the key intentions of the "what's the problem represented to be?" approach is to uncover the silences in policy proposals and "probe what is left unproblematic in particular representations, and how 'responses' would differ if the 'problem' were represented differently" (Bacchi 1999, p. 2). Like Bacchi's framework, analysis of framing processes draws attention to silences—omissions in problem definitions and explanations. By selectively highlighting some features of a situation and excluding others, frames alter the way that their audience perceives the issue (Entman 1993). For instance, we can observe how the food industry's promotion of educational initiatives implies that obesity is a 'problem' of insufficient education, and that this representation silences the 'problem' of other structural factors such as the cost and availability of healthy foods (Jenkin, Signal & Thomson 2011; Kwan 2009; Lawrence 2004). Similarly, the food industry's promotion of physical activity as a solution to childhood obesity implies that inadequate physical activity is the "principle cause" of childhood obesity, which neglects the role of structural factors such as economic disadvantage (Alexander & Coveney 2013). Bacchi (2009) argues that the assumptions underpinning this divide between upstream and downstream approaches to health interventions are based on different beliefs about the degree to which individuals have control over the various health risks.

We can also observe that silences and omissions in policies benefit some stakeholders and not others. A focus on parental responsibility for childhood obesity, for example, is likely to benefit those who support "minimal legislative control of industry activity" (Coveney 2010, p. 518). Previous research has examined how the food industry frames health as an individual as opposed to a structural issue (Coveney 2008; Dorfman & Wallack 2007; Jenkin, Signal & Thomson 2011; Kwan 2009; Lawrence 2004). Frames can

also distract from issues that the food industry does not want part of the public debate. Ken (2014) notes that the food industry's prognosis for obesity ("work together" as a "community") serves to legitimise its diagnosis of the problem (childhood obesity). Significantly, other non-problems are occluded from this framing, such as "corporate infiltration of U.S. food norms and ethically repugnant business practices" (Ken 2014, p. 139).

Research on food industry framing has focused on how the industry participates in the debates about obesity and note that food industry and public health stakeholders offer competing perspectives and interpretations of the problem, its causes and its solutions (Jenkin, Signal & Thomson 2011; Kwan 2009; Saguy & Riley 2005). Framing scholars question what factors make frames more or less successful in dominating policy debates (Chong & Druckman 2007a; Messer, Adams & Shriver 2012). This question has also been explored in the corporate power literature, where Clapp (2009), Williams (2009) and Sell (2009) describe different food industry frames as more or less "powerful," "persistent," "influential," "plastic," "integrated," or "persuasive." The idea that frames are successful because they are "persistent" speaks to the *loudness* or *magnitude* of a frame, which assesses the prominence and repetition of the frame in the media (Chong & Druckman 2007a; Entman 2004). Researchers analysing corporate power caution that it is important to acknowledge business advantages in exercising discursive power arising from financial resources and links to mass media (Fuchs & Lederer 2007; McKee & Stuckler 2018). A second factor influencing the potential of a frame to dominate a debate or win support is the frame's cultural *resonance*, which gauges how "noticeable, understandable, memorable and emotionally charged" the frame is (Entman 2004, p. 6). Kwan (2009) notes that the extent to which stakeholders can align their frames with dominant cultural values (such as the food industry's appeal to personal freedom in the United States) can increase the resonance of the message. Similarly, Saguy and Riley (2005) draw attention to the importance of credibility struggles in the obesity debates and contrast how stakeholders use claims of personal experience and medical expertise to substantiate different positions.

## Data collection and analysis

In this chapter, I analysed a dataset of 88 documents published by the Australian Beverages Council between January 2004 and December 2017 and 55 documents published by Coca-Cola Australia<sup>19</sup> between January 2006 and July 2018 including: 13 published commitments, 2 audits, 25 annual reports, 7 sustainability reports, 159 media releases, 10 policy submissions, 174 webpages and 79 web archives (see Chapter 3 for more details about these sources). I also examined the commitments made by PepsiCo Australia & New Zealand concerning nutrition education and the Healthier Australia Commitment and the Daily Intake Guide (developed by the Australian Food and Grocery Council). I grouped these documents into two categories. One set included specific industry commitments to provide nutrition education or labelling and descriptions of industry initiatives. In these documents, soft drink industry stakeholders discussed the actions they were taking to be part of the solution. The second group of documents included the ABC's and Coca-Cola Australia's explanations of the relationship between soft drinks and health outcomes, found in their media reports, websites and policy submissions. While these documents were not explicitly framed as health promotion strategies, because they were designed for public consumption, I considered them an additional form of nutrition education that sought to inform consumers and policy makers about the nature of the problem, its causations and the attribution of responsibility.

My data analysis occurred in two phases. First, I examined the content of the Australian soft drink industry's commitments to provide nutrition education or labelling and the specific actions that they took to fulfil these commitments. These initiatives represent the soft drink industry's educational solutions to obesity and address the *how* component of this chapter's research question. This analysis is presented in the first section of my results. Second, following Bacchi's (1999) exhortation to ask "what's the problem represented to be?" in policy solutions, I interrogated the assumptions underpinning the soft drink industry's nutrition education commitments. This portion of my analysis addressed the *why* component of this chapter's research question and helped to explain why calorie-focused nutrition education benefits the soft drink industry. Here, I analysed the second group of documents outlining the soft drink

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<sup>19</sup> In my case studies, I use the term "Coca-Cola Australia" to refer to both Coca-Cola Amatil and Coca-Cola South Pacific (the Australian branches of the global company). For more details, see Chapter 1, *The Australian Soft Drink Industry*.

industry's explanation of the relationship between soft drinks and health outcomes, which sought to inform consumers and policy makers about the nature of the problem, its causations and the attribution of responsibility. Specific attention was paid to: 1) whether the Australian soft drink industry focused exclusively on obesity or if it also engaged with other health concerns associated with its products; 2) how the soft drink industry used energy balance to explain obesity, especially its engagement with calories and the dietary side of energy balance; and 3) how the industry strategically leveraged the claim that “all calories count” to shift blame away from soft drinks. I present this analysis in the second section of my results.

## Results

### Nutrition education initiatives: calorie labelling and energy balance

The Australian soft drink industry proposed several initiatives that focused on providing nutrition education and information. In 2006, the Australian Beverages Council launched the *Commitment Addressing Obesity and Other Health and Wellness Issues*, which outlined a range of proposed commitments for its members. Its first two commitments focused on educational initiatives. In its *Commitments to Help Address Obesity*, Coca-Cola Australia (2013a) pledged to provide “transparent nutrition information in more places.” In Table 10, I summarise the Australian Beverages Council's and Coca-Cola Australia's nutrition education commitments and initiatives. In addition to these commitments, the soft drink industry also made pledges to reduce the calories in its products (discussed in Chapter 5), restrict marketing to children, remove sugary drinks from primary schools and fund research into children's physical activity.

Table 10: Australian soft drink industry's nutrition education commitments and initiatives

| STAKEHOLDER                  | YEAR | COMMITMENT                                                                                                                                                                                                                                                                                                                                     | EXAMPLE INITIATIVES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Australian Beverages Council | 2006 | Public education, healthy lifestyles & physical activity programs: Aim to increase involvement either directly or in partnership with national and state educational authorities, or with appropriate private & public partners, in educational programs to provide consumers with relevant information on healthy eating and active lifestyle | <ul style="list-style-type: none"> <li>- Partnerships with the Dietitians Association of Australia and Sports Dietitians Australia</li> <li>- Providing nutritional education brochures, booklets, website materials and nutritionally balanced recipes</li> <li>- Nutrition and hydration presentations for coaches involved with children</li> <li>- Health education sessions for disadvantaged teenagers in partnership with charities</li> <li>- Active lifestyle programs, including education programs through sporting sponsorships and consumer booklets developed in conjunction with the Australian Sports Commission</li> </ul> |

|                            |      |                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------|------|----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                            | 2006 | ABCL members will voluntary provide additional nutrition information | <ul style="list-style-type: none"> <li>- Front of pack communication about the amount of total energy in drinks</li> <li>- Back of pack information on the % daily intake per serve</li> <li>- On pack promotions of low or no-calorie content of beverages</li> </ul>                                                                                                                                                                                  |
| <b>Coca-Cola Australia</b> | 2013 | Provide transparent nutritional information in more places           | <ul style="list-style-type: none"> <li>- front-of-package kilojoule labelling on beverages</li> <li>- List kilojoule content of beverages on vending machines</li> <li>- “Kilojoules count” message on vending machines</li> <li>- Coca-Cola Journey information pages</li> <li>- Adopt Health Star Rating</li> <li>- Online Nutrition Comparison tool</li> <li>- Launch “in the right amount” campaign</li> <li>- Highlight serves per pack</li> </ul> |

Data sourced from: ABC *Commitment* (2006) and ABC audits (2007, 2008); Coca-Cola Amatil Sustainability Reports (2006b, 2008b, 2010b, 2011b, 2013, 2015c, 2016), and Coca-Cola Journey webpages (2013a, 2014, 2015c, 2016b, 2017b).

The Australian soft drink industry’s nutrition education initiatives had two dimensions: front-of-pack labelling initiatives and programs to educate consumers about health and nutrition. Although Coca-Cola Australia pledged to provide “transparent nutritional information,” in practice the company limited its front-of-pack labelling to the provision of calorie and energy information. Both Coca-Cola Australia and PepsiCo were signatories to the Australian Food and Grocery Council’s 2011 Daily Intake Guide (DIG), which proposed a front-of-pack label showing energy plus four “core nutrients”: fat, saturated fat, sugars and sodium and the optional inclusion of additional nutrients such as carbohydrates, protein, calcium or vitamin C (Australian Food and Grocery Council 2011b). Despite the DIG labelling code stipulating that the use of the energy icon alone should be limited to products “very low in all the core nutrients,” both Coca-Cola Australia and PepsiCo limited their label to energy intake only (Figure 9) (Australian Beverages Council 2007c; Australian Food and Grocery Council 2011b). This approach allowed the soft drink industry to avoid labelling the sugar content of soft drinks on the front of the label. In 2014, the ABC adopted the Health Star Rating labelling scheme, but the soft drink industry was only required to use an “integrated” approach, which was virtually identical to its original front-of-pack energy label (Figure 9) (Australian Beverages Council 2014d).

Figure 9: Front-of-pack energy labelling icons used by the Australian soft drink industry<sup>20</sup>



On its consumer information page titled *Reading Labels*, the ABC stated that the ministerial council agreed to this approach for beverages because:

*...people understood drinks like soft drinks and snacks like chocolate are to be consumed occasionally, and for the majority of people, it's the energy or kilojoules they want information on (Australian Beverages Council 2018e).*

In addition to front-of-pack labelling, the Australian soft drink industry provided other forms of nutrition education and information. In the commitments outlined in Table 10, the ABC pledged to provide nutrition education via a range of programs; however, there are few details available about these initiatives. Until 2007, the ABC had a *School Projects* section on its website that provided information about the importance of soft drinks for hydration and as an alternative to alcoholic beverages for teenagers (Australian Beverages Council 2004c). As of July 2018, the ABC also had a section on its website titled *For Consumers*, with information about different beverages as well as health issues such as *Energy Balance*, *Fighting Obesity*, *Dental Health* and *Reading Labels*. These resources informed consumers that:

*...the energy consumed through all foods and beverages ie the whole diet, is matched with energy burnt off or exerted through daily activity that includes regular exercise (Australian Beverages Council 2018b).*

*Whilst the reasons why people become overweight and obese can be complex, maintaining an energy balance between what is consumed throughout the day and what is burnt off holds the key to maintaining a healthy weight (Australian Beverages Council 2018b).*

*The amount of sugar in a particular food is not the only factor in the development of tooth decay. Because fruit juices and soft drinks are liquid and remain in the mouth for a relatively short time, beverages containing sugar, whether added or naturally occurring, do not have as significant an impact on tooth decay as sugar-containing sticky foods (Australian Beverages Council 2018a).*

<sup>20</sup> The ABC's percent daily intake logo is on the left and the Health Star Rating energy icon is on the right (Australian Beverages Council 2014d; Australian Food and Grocery Council 2011a)

Likewise, Coca-Cola Australia provided other forms of nutrition education and information for consumers. Between 2004 and 2014, the company ran its Coca-Cola Australia Health and Wellness Advisory Council which provided advice on “consumer education initiatives and materials that promote a healthy and active lifestyle” as well as “insight and feedback in relation to new product developments and nutrition guidelines and nutrition communications” (Coca-Cola Amatil 2008b; Coca-Cola Journey 2018a). Both Coca-Cola Australia and PepsiCo Australia & New Zealand were signatories to the Healthier Australia Commitment, which proposed that, “members of the Commitment agree to promote energy balance and healthy lifestyle messages on their websites” (Australian food and Grocery Council 2012, p. 10). Coca-Cola Australia established an Australian consumer-facing website in 2013 that provided information on a range of health and nutrition issues, including pages titled *Clear on Kilojoules*, *Our Products: Energy Balance* and *How to read the labels on our products* (Coca-Cola Journey 2013b, 2015d, 2015g). It also developed an online Nutrition Comparison Tool (Coca-Cola Journey 2015f). In addition to these online resources, Coca-Cola Australia pledged to provide “transparent nutrition information in more places.” In practice, Coca-Cola Australia’s initial initiatives often manifested as information about calorie/kilojoule/energy content and advice to consumers to manage portion control (Figures 10-13).

Figure 10: “Kilojoules Count” message on vending machines (Coca-Cola Journey 2013b)



Figure 11: Nutrition information panels on vending machines (Coca-Cola Journey 2014)

| KILOJOULES COUNT                                                                                                                                               |         |        |      | Scan QR code for more details |       |        |      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|--------|------|-------------------------------|-------|--------|------|
| For other great brands and pack sizes not shown here please visit <a href="http://www.coca-colajourney.com.au">www.coca-colajourney.com.au</a> or scan QR code |         |        |      |                               |       |        |      |
|                                                                                                                                                                | Average |        | %DI* |                               |       |        |      |
|                                                                                                                                                                | kJ      |        |      |                               |       |        |      |
| Coca-Cola                                                                                                                                                      | 600mL   | 1080kJ | 12%  | LIPTON                        | 600mL | 1164kJ | 13%  |
| Coke Zero                                                                                                                                                      | 450mL   | 810kJ  | 9%   | Sprite                        | 600mL | 1062kJ | 12%  |
| Diet Coke                                                                                                                                                      | 600mL   | 84kJ   | 0.1% | Powerade                      | 600mL | 774kJ  | 8.9% |
| Fanta Orange                                                                                                                                                   | 600mL   | 9kJ    | 0.1% | Glacéau                       | 500mL | 390kJ  | 4.5% |
|                                                                                                                                                                |         |        |      | Vitaminwater Range            |       |        |      |
|                                                                                                                                                                |         |        |      | Goulburn Valley               | 420mL | 580kJ  | 6.7% |
|                                                                                                                                                                |         |        |      | Quencher Range                |       |        |      |
|                                                                                                                                                                |         |        |      | Goulburn Valley               | 350mL | 672kJ  | 7.7% |
|                                                                                                                                                                |         |        |      | Juice Range                   |       |        |      |

Figure 12: “Serves per pack” information on multi-serve bottles (Coca-Cola Amatil 2017b)



Figure 13: "In the Right Amount" campaign (Coca-Cola Amatil 2017b)



Although Coca-Cola Australia’s initial initiatives to provide nutrition education and information focused mainly on calorie/kilojoule counting and the message of balance, in 2017 Coca-Cola Australia began to talk more openly about the sugar content of its products. In August 2017 it published a report titled *Sugar Reductions: our actions in the Australian marketplace* on its consumer-facing website (Coca-Cola Amatil 2017b; Coca-Cola Journey 2017c). Coca-Cola hired Nutrition Australia to audit its beverage portfolio according to State, Territory and National nutrition guidelines for schools, health services and workplaces (Coca-Cola Amatil 2017b). It launched its “Refreshing Choices” vending machine in 2017, which classified beverages as “better choices” (green) or “treat yourself” (purple) options (Figure 14) (Coca-Cola Amatil 2017b). “Better choices” included no sugar beverages or beverages with less than 8 grams of sugar per 100ml; this sugar classification scheme was based on “company nutrition guidelines” introduced to set sugar targets for new product development and reformulation initiatives (Coca-Cola Amatil 2017b).

Figure 14: "Refreshing Choices" vending machine (Coca-Cola Amatil 2017b)



In May 2018, Coca-Cola Australia launched a new ad campaign which stated that, “We're listening. Sugar in moderation is fine, too much isn't good for anyone” (Figure 15) (Coca-Cola Journey 2018c). It also launched a new website “Our Way Forward” which outlined its initiatives to reduce sugar (Coca-Cola Journey 2018b).

Figure 15: Sugar in moderation ad (Coca-Cola Journey 2018c)



A number of implied assumptions about the nature of the problem underpinned the Australian soft drink industry's nutrition education initiatives that promoted the message of calorie counting. Below, I elaborate on three implicit assumptions about the nature of the problem: first, that the problem was obesity; second, that obesity was caused by energy imbalance; and third, that all calories were the same. In the following section, I elaborate on how Coca-Cola Australia and the ABC explicitly and implicitly drew on these assumptions in their communications about health and nutrition to rationalise their “solution”

of educating consumers about energy balance and calorie counting and to dispute regulatory proposals targeting soft drinks. In the discussion section of this chapter, I will discuss how this focus on calorie counting benefits the soft drink industry. I will also discuss how Coca-Cola Australia's statements in 2017 and 2018 about its sugar reduction actions suggest that the company is beginning change its approach to nutrition education and information in Australia from a focus on calories to a focus on sugar, and I will reflect on why this is happening.

## Assumptions underpinning the soft drink industry's nutrition education

### *The problem is obesity*

Both Coca-Cola Australia and the Australian Beverages Council framed their corporate health promotion strategies as responses to the problem of obesity. In July 2013, Coca-Cola Australia announced its "commitments to help address obesity" in Australia (Coca-Cola Journey 2013a). Aired for the first time on major Australian television networks, the company's advertisement outlined its commitments concerning "one of the biggest health issues to affect our society, obesity" (Coca-Cola Journey 2015c). These statements illustrated the company's willingness to acknowledge the issue of obesity and simultaneously emphasised how the company was participating in solutions to obesity. Coca-Cola Australia's descriptions of obesity were similar to the Australian Beverages Council's statements that referred to obesity as an issue or a challenge:

*We realise that obesity is a serious issue that impacts individuals, families and communities around the world and in Australia (Coca-Cola Journey 2016b).*

*We have long recognised we can play a role, along with the community and other stakeholders, in addressing Australia's pressing overweight and obesity challenge (Australian Beverages Council 2015b).*

*The Australian Beverages Council's...members recognise that the rising incidence of overweight and obesity has serious and concerning health consequences for the Australian community (Australian Beverages Council 2007d).*

Of the 88 ABC documents and 55 Coca-Cola Australia documents analysed for this chapter, the ABC never referred to obesity as a crisis or epidemic, and Coca-Cola Australia only used the terms three times.<sup>21</sup> In its 2011 Sustainability Report, Coca-Cola Australia stated that:

*We understand the concern about the global obesity epidemic and we believe all stakeholders – individuals, communities, businesses and governments – need to play a role in addressing it (Coca-Cola Amatil 2011b).*

In 2015, Coca-Cola Australia also referred to the “global obesity crisis” and “global obesity epidemic” in its statements on its company’s funding of scientific research (Hays 2015; Kent 2015). Both articles originated with the global company.<sup>22</sup>

Furthermore, while Coca-Cola Australia acknowledged the issue of obesity, it rarely discussed other health issues linked to soft drink consumption (such as tooth decay or diabetes), and when it did, it reframed them in the context of weight gain. One of the articles on *Coca-Cola Journey* was titled “Is there a link between soft drink and diabetes?” and presented the relationship between soft drinks and diabetes in terms of weight gain:

*Experts agree that being overweight is a major risk factor for Type 2 diabetes. Eating or drinking too many kilojoules, including soft drinks, can contribute to weight gain, which in turn increases the risk of diabetes (Coca-Cola Journey n.d.).*

Lastly, a consistent theme throughout Coca-Cola Australia and the ABC’s statements about obesity was their emphasis on its inherent complexity:

*We all need to work together and these actions are part of our long-term commitment to help address this complex issue (Coca-Cola Journey 2013a).*

*Obesity is a complex problem that can't be blamed on a single food or beverage (Coca-Cola Journey 2012b).*

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<sup>21</sup> In May 2018, the Senate established a “Select Committee into the Obesity Epidemic in Australia.” In their submissions, both the ABC and Coca-Cola referred to the committee by name but otherwise did not refer to obesity as an epidemic (Australian Beverages Council 2018f; Coca-Cola Amatil 2018a).

<sup>22</sup> One article was a republication of then CEO of The Coca-Cola Company Muhtar Kent’s editorial in the Wall Street Journal in response to backlash against The Coca-Cola Company’s funding of the Global Energy Balance Network and the other was a statement from The Coca-Cola Company’s Chief Technical Officer about the company’s funding of scientific research.

*The Beverages Council supports the Vic Health premise that overweight and obesity is an important issue and highly complex problem encompassing activity, genetics, income inequality and a range of other personal and societal factors (Australian Beverages Council 2015g).*

As seen in the above quotes, both the ABC and Coca-Cola Australia frequently referred to the complexity of obesity to justify their arguments that a focus on soft drinks was overly simplistic. The ABC reiterated its claim that obesity was complex in its opposition to regulations (such as those discussed in Chapter 1 *The Regulators*):

*The concept of a ban on a small and declining part of the average adult diet is a light-weight approach to a more complex problem facing our society (Australian Beverages Council 2015b).*

*...it is not beneficial to blame or tax a single component of the diet. Obesity is a serious and complex public issue with no single cause or quick-fix solution. A new tax is not the way to make our nation healthier (Australian Beverages Council 2016a).*

*The Australian Beverages Council opposes discriminatory and regressive measures such as taxing specific products as a means to combat overweight and obesity...A tax on beverages is ineffective because no single ingredient, food product or beverage alone is the sole contributor to obesity problems (Australian Beverages Council 2014f).*

Rather than claim that soft drinks were blameless, the ABC made the more defensible argument that, because obesity was multifactorial, it was not caused by soft drink consumption alone.

### ***Obesity is caused by energy imbalance***

After framing obesity as a complex and pressing health concern in Australia, the ABC and Coca-Cola Australia went on to explain that the dominant cause of obesity was energy imbalance:

*Whilst the reasons why people become overweight and obese can be complex, maintaining an energy balance between what is consumed throughout the day and what is burnt off holds the key to maintaining a healthy weight (Australian Beverages Council 2018b).*

*The overarching focus for long term solutions to obesity and overweight needs to be on the energy balance equation – that is, total energy consumed from all of the diet against total energy burned through activity and exercise (Australian Beverages Council 2015g).*

*There is widespread consensus that weight gain is primarily the result of an imbalance of energy-too many calories consumed versus too few calories expended (Coca-Cola Amatil 2011b).*

Both the ABC and Coca-Cola Australia supported their stance on energy balance by referring to the World Health Organisation's statement on overweight and obesity:

*Numerous respected scientific bodies, including the WHO, have recognised that the fundamental cause of obesity and overweight is an energy imbalance between calories (kilojoules) consumed and calories expended (Australian Beverages Council 2015c).*

*The World Health Organisation says the fundamental cause of obesity and overweight is an energy imbalance between kilojoules consumed and kilojoules expended - i.e. too many kilojoules taken in from food and beverages and not enough kilojoules used up through activity (Coca-Cola Journey 2015g).*

The ABC and Coca-Cola Australia also referred to other credible health organisations to support their position on energy balance. In its submission to the Australian Dietary Guidelines, the ABC quoted the National Health and Medical Research Council in its submission:

*The Beverages Council supports the NHMRC's strong recognition of the importance of energy balance, and ensuring appropriate energy intake and physical activity to maintain a healthy weight. "In relation to obesity, actual dietary recommendations and measures of compliance and weight outcomes vary greatly in published studies. Overall energy intake is the key dietary factor affecting weight status" (Australian Beverages Council 2012).*

Coca-Cola Australia also quoted reports from public health organisations about energy balance to substantiate its submission to the National Preventative Health Taskforce:

*The need for achieving energy balance to control obesity cannot be overstated and has been repeatedly emphasized at the international, regional and national levels:*

***EU Platform for Action on Diet, Physical Activity and Health:*** *"Obesity is one of the most serious health challenges facing the EU today. The reasons why Europe's waistline has expanded are relatively simple: we tend to eat too much and exercise too little."*

***2005 Dietary Guidelines for Americans:*** *"To maintain body weight in a healthy range, balance calories from foods and beverages with calories expended" (Coca-Cola South Pacific 2008).*

While both the ABC and Coca-Cola Australia frequently noted the role of physical activity in achieving energy balance, they also spoke about the role played by consumption of soft drinks. Specifically, they presented the problem as caused by over consumption:

*We are aware that these products - like any products containing kilojoules – can be over-consumed. We support the widely accepted argument that over-consumption of energy from food and drink, if coupled with insufficient physical activity, will lead to weight gain (Australian Beverages Council 2007d).*

*A balanced lifestyle is key to successful weight management. Like all food and beverages, soft drinks with sugar can be consumed in moderation as long as people don't consume them to excess (Coca-Cola Journey n.d.).*

In addition to identifying energy imbalance as the root cause of obesity, the ABC and Coca-Cola Australia also identified non-causes, specifically sugar and soft drinks. In the following section, I examine how their explanations about the non-causes of obesity were underpinned by the (often implied) presupposition that all calories are the same.

### *All calories are the same, thus sugar and soft drinks are less responsible for obesity than other foods*

Underpinning the ABC's and Coca-Cola Australia's rhetoric about energy balance was the proposition that, not only do all calories count, but "all kilojoules [calories] count and *no source of kilojoules is uniquely different from another*" (Australian Beverages Council 2018b, emphasis added). The crux of this argument rested on the idea that all calories were uniform, and their beverage or nutrient source was unimportant. Coca-Cola Australia and the ABC rarely voiced their claims that all calories were the same explicitly. Instead, this interpretation of nutrition science implicitly underpinned their explanations about whether and how soft drinks contributed to obesity. For example, Coca-Cola Australia provided nutrition education that explained sugar and carbohydrates as source of calories but did not discuss other nutrition consequences associated with consumption of those nutrients. On its webpage titled, *Do soft drinks cause obesity?*, Coca-Cola Australia explained that:

*Many of our beverages contain sugar, which has kilojoules. While sugar is fine in moderation, too much of it isn't good for anyone. Having too many kilojoules, including from soft drinks with sugar, can contribute to weight gain (Coca-Cola Journey 2016a).*

This reframing of sugars as a source of calories was also seen in Coca-Cola Australia's explanations of its Nutrition Comparison Tool, which emphasized that calories and energy were "fuel" for the body, and that nutrients contributed to total energy intake. Rather than discussing some of the health concerns

associated with sugars or carbohydrates, the company reduced the importance of the nutrient to its calorie content:

*You can compare the carbohydrates contained in each drink, which are a source of kilojoules. This is particularly important if you are trying to manage or lose weight (Coca-Cola Journey 2015d).*

Although the company appeared to be engaging with the scientific knowledge of calories and promoting a more informed understanding of its products, by explaining carbohydrates and sugars in terms of their calorie contribution, Coca-Cola Australia ignored and downplayed the role of sugars outside of their calorie contribution, and in so doing dismissed some of the key nutritional concerns associated with sugary drink consumption such as their contribution to dental caries.

The implied claim that all calories were the same underpinned the soft drink industry's three interconnected arguments about the contribution of soft drinks to obesity. First, they asserted that no single food, beverage or nutrient could be singled out and blamed for obesity, as all products had calories:

*Focusing on a single source of kilojoules in the diet hasn't worked in the past and ignores the concept of the total diet. No one food or beverage causes overweight or obesity (Australian Beverages Council 2013).*

*When it comes to losing and maintaining weight, all calories count. It's wrong to single out anything for causing people to be overweight or obese. People consume calories from many different sources (Coca-Cola South Pacific 2008).*

*Since people consume many different foods and beverages, no single food or beverage is responsible for people being overweight or obese. All calories count regardless of source, including those from our products (Coca-Cola Amatil 2011b).*

The idea that individual foods or beverages should not be blamed was epitomised in the ABC's claim that "there is no such thing as a 'bad' food or beverage, rather bad diets, bad habits, or unhealthy lifestyles" (Australian Beverages Council 2018d). This proposal led to the ABC's second argument, which was that blame and responsibility for obesity was shared amongst the food industry:

*Discussion around the role of beverages in the Australian diet needs to move away from a singular focus on sugar when it comes to the causes of obesity and instead look at the impact of total diet, including 'treat' foods (Australian Beverages Council 2016b).*

Coca-Cola Australia also exhorted consumers to evaluate beverages in the context of their total diet. On their webpage explaining energy balance, Coca-Cola Australia stated that:

*All foods and beverages have the potential to contribute excess kilojoules, including those from our beverages, so be mindful of the total quantity of kilojoules you consume (Coca-Cola Journey 2015g).*

Lastly, Coca-Cola Australia and the ABC made a third argument that, while blame for obesity was shared amongst the food industry, the contribution of soft drinks to obesity was less than other food categories:

*...in the discretionary food and drink category, soft drinks are ranked seventh in kilojoule contribution at just 4 per cent, a long way behind confectionery and chocolate which tops the list at 18 per cent (Australian Beverages Council 2015e).*

*Soft drinks are often front and centre of the conversation around obesity, but just 1.9 percent of the average daily intake of kilojoules for Australians comes from soft drinks and flavoured mineral waters....Soft drink consumption has declined in the period that obesity has increased (Coca-Cola Amatil 2015c).*

The assertion that soft drinks contributed to a small portion of energy intake was reiterated in many of the ABC's media releases in response to proposed regulations of its industry. In response to the decision to phase out sugary drinks in NSW health facilities, the ABC responded that:

*We're disappointed that NSW Health has taken this position given the relatively small role soft drinks play in the average person's diet...It's confusing why NSW Health has focussed on the two percent and the 8th ranked treat item, yet seemingly ignored everything else people eat and drink (Australian Beverages Council 2017).*

Although the ABC did not directly blame overweight and obesity on the largest categories (confectionery, chocolate, sweet biscuits and alcohol), its implication was clear: the policy was ignoring other, more significant food categories and unfairly targeting soft drinks. As I will explore in the discussion, this argument rested on a specific interpretation of nutrition science and ignored other health concerns associated with sugary drinks. It also contradicted Coca-Cola Australia and the ABC's initial argument, that no food or beverage should be singled out and blamed for obesity.

The above four sections explored the various forms and manifestations of nutrition education provided by the Australian soft drink industry as part of its response to obesity. In the following discussion, I highlight some of the key findings from my results and elaborate on how and why the Australian soft

drink industry promoted calorie counting as a solution to obesity. I will also discuss the role of corporate power relations in the soft drink industry's nutrition education initiatives.

## Discussion

My analysis of the soft drink industry's nutrition education initiatives reveals a narrow and specific interpretation of "healthy eating" that predominantly revolves around the message of calorie balance. This is illustrated in the way that Coca-Cola Australia pledged to provide "transparent nutrition information" in Australia, but selectively interpreted this to mean calorie labelling on its beverages. This practice is seen internationally, where both Coca-Cola and Pepsi rolled out front-of-pack calorie labelling across their beverage portfolios in the mid-2000s as part of their commitments to address obesity (Dorfman et al. 2012; Yach et al. 2010). Although both companies are now beginning to discuss sugar, they do not voluntarily display sugar content in their front-of-pack labels. The roll out of global front-of-pack calorie labelling demonstrates industry progress, however it is significantly weaker than other proposed front-of-pack labelling policies. Interpretive labels that highlight free or added sugar content (such as Chile's "high in sugar" label or the UK's traffic light label that uses the colour red to highlight products high in sugar) or warning labels about the health consequences of sugary drink consumption (akin to the warning labels on cigarettes and alcohol) have been proposed as more effective (Corvalán et al. 2013; Gertner & Rifkin 2017; Myers et al. 2017; Taylor & Jacobson 2016). In addition to making consumers aware of the high sugar content in soft drinks, these interpretive front-of-pack labels are also used to encourage soft drink manufacturers to reformulate their products to reduce sugar content (a topic I will elaborate on in Chapter 5) (Gibson et al. 2017; World Cancer Research Fund 2015).

Although there is evidence that Coca-Cola Australia is beginning to talk about the health harms of sugar in Australia, most of Coca-Cola Australia and the ABC's nutrition education and information campaigns revolved around calorie counting. As I have shown in this chapter, Coca-Cola Australia developed messages about calorie counting for its vending machines, webpages and advertising campaigns. In addition to these consumer-facing sources of nutrition education, the soft drink industry also promoted the message of calorie counting to policy makers and health professionals in its policy submissions. In the United States, Coca-Cola sponsored sessions at nutrition conferences and promoted the message of

energy balance (Nestle 2015b). The soft drink industry's message of calorie counting is not a new invention; as early as 1977, Coca-Cola referred to calorie counting in its filing to the US Security and Exchange Commission—"when it comes to weight management, all calories count, whatever food or beverage they come from, including calories from our beverages" (Nestle 2015b, p. 104). Instead, it is the repackaging of this message into corporate nutrition education campaigns designed for public consumption that is new.

My analysis of the Australian soft drink industry's nutrition education initiatives reveals that a focus on calories offered strategic benefits to the soft drink industry. I argue that the Australian soft drink industry strategically framed the relationship between soft drinks and obesity in terms of calories and promoted a solution revolving around calorie counting to distract from a solution revolving around sugar awareness or reduction. I call this corporate strategy the *calorie diversion*. I argue that the calorie diversion serves as a parallel and complementary corporate strategy to what Nestle (2015b) calls the *physical activity diversion*, which she defines as a corporate strategy to promote exercise as the solution to obesity to distract from the role of unhealthy foods and diets. Both strategies manipulate and take advantage of the energy balance equation to distract from the perceived health harms of soft drinks. They also enable corporate social responsibility initiatives that improve the public image of the industry (such as voluntary calorie labelling or sports sponsorship). However, the calorie diversion and the physical activity diversion emphasize different sides of the energy balance equation. By focusing on the importance of exercise, the physical activity diversion shifts attention away from the need for dietary change in general. In contrast, the calorie diversion does not shift attention away from dietary change, but rather offers a lens for understanding and evaluating diets. Moreover, considering Coca-Cola's recent public statements about its sugar reduction strategies, we can observe that the company may be transitioning away from its calorie diversion strategy in Australia. I will reflect on this transition at the end of this chapter and in Chapter 7. In the remainder of this discussion, I elaborate on the assumptions underpinning the calorie diversion, the benefits this message offers the industry and the opportunities and challenges that it faces in promoting the calorie diversion as a form of nutrition education.

Just as Bacchi (2009) argues that policy proposals are underpinned by entrenched assumptions about the nature of the world, we can see that the soft drink industry's nutrition education initiatives reflect a specific interpretation of nutrition science: that all calories are the same. This nutritional belief is referred to as "caloric reductionism" or "calorie equivalency" (Lucan & DiNicolantonio 2015; Scrinis 2013). Caloric reductionism "simplifies and decontextualizes food quality" by assuming that "the type or quality of the food that delivers these calories is essentially irrelevant when it comes to weight management and fat storage" (Scrinis 2013, p. 116). In a similar vein, calorie equivalency refers to the belief that "a calorie is a calorie," which "implies that any two different foods, which have equivalent amounts of potential energy, will produce identical biological effects with regard to body weight/body fatness when consumed" (Lucan & DiNicolantonio 2015, p. 572). While the soft drink industry sometimes promotes this view explicitly, such as the ABC's claim that "no source of kilojoules [calories] is uniquely different from another," this perspective is more often implied, such as in Coca-Cola's explanation of carbohydrates and sugars as a source of calories.

The soft drink industry's use of the calorie diversion is partially a consequence of the nutritional make-up of soft drinks. Whereas other sectors of the food industry have taken advantage of the nutritional marketing opportunities proffered by the growing demand for health and wellness products, Coca-Cola and PepsiCo have limited scope for nutritional marketing claims about their sugary drinks, especially their flagship carbonated soft drinks (Scrinis 2016). While sugar and soft drinks were once advertised for providing quick energy, the anti-sugar backlash has made these claims untenable (Taubes & Couzens 2012). In the context of a backlash against sugar, we can conceptualise the calorie diversion as a defence strategy that seeks to minimise the negative attributes of soft drinks. Scrinis (2013) argues that representing foods as a uniform source of calories obscures qualitative differences between foods such as their nutrient profile, their levels of processing or how they might be metabolised differently by the body. In the case of soft drinks, we can see that a focus on calories distracts from their high sugar content, their status as an ultra-processed food and the possibility that their liquid nature might make them less satiating (Drewnowski & Bellisle 2007; Monteiro et al. 2011a). Specifically, we can observe two benefits of the calorie diversion for the soft drink industry: a focus on calories distracts from a focus on sugar; and a

focus on calories allows the soft drink industry to position its products as less problematic than other sectors of the food industry.

One benefit of the calorie diversion for the soft drink industry is that it distracts from the levels of sugar in soft drinks. The soft drink industry's calorie labels, for example, present calorie content as the most important characteristic of soft drinks. For the soft drink industry, these labels serve as a "nutritional façade" that distracts from and conceals the other, less favourable characteristics of the beverage, such as its high sugar content (Scrinis 2013). Frame omissions, whether deliberate or inadvertent, can have significant consequences for how the public understands the issue (Entman 1993; Sell 2009). In this sense, we can conceptualise calorie labelling (alongside other forms of nutrition communication) as an exercise of discursive power, where the soft drink industry seeks to shape public understanding of the health harms of soft drinks and narrow the scope of debate to calories (Clapp & Scrinis 2017). The soft drink industry's frame of "calories count" attempts to shape the public discourse concerning healthy food choices in the same way that the food industry's frames of "food safety" and "food aid" attempt to capture and reshape the discourse about organic and genetically modified foods (Scott, Vandergeest & Young 2009; Williams 2009). These frames selectively emphasise some aspects of the debate and remain silent on others. We can observe that the Australian soft drink industry's strategic silence on the sugar content of its products is contingent on other silences—for example the absence of sugar labelling. Australia's current labelling regulations allow the soft drink industry to voluntarily include calories and voluntarily exclude sugar from its front-of-pack label (Commonwealth of Australia 2015). Should Australia require sugar labelling on soft drinks (as other countries have done) this would challenge the soft drink industry's current silence on sugar.

In light of the soft drink industry's claims about the small energy contribution of soft drinks, we can see that the calorie diversion offers an additional benefit for the soft drink category: it provides a system for categorising foods that favours soft drinks. Evaluating foods based on their calorie content makes foods that have a very low energy density (such as soft drinks that are mostly water) compare favourably to other food groups (Drewnowski 2017). I found that the Australian soft drink industry uses statistics on calorie intake to minimise the perceived contribution of its industry to obesity. This strategy is seen

internationally. The American Beverage Association claims that sugary drinks only contribute to seven percent of American calorie intake (Nestle 2015b). Coca-Cola used a similar argument in the New Zealand Inquiry into Obesity, claiming that “‘breads and their spreads’ are the most significant contributor to New Zealander’s dietary energy intake, at 13%, compared to 2% for CSDs<sup>23</sup> (amongst children)” (Jenkin 2010, p. 150). These statistics present soft drinks in a favourable light—relative to other food categories, they contribute to a smaller amount of total calorie intake. When the focus shifts to sugar, the statistics are less favourable. Sugary drinks are the leading contributor of added and free sugars in the Australian diet. According to the Australian National Nutrition Survey, sugary drinks contributed to 4 percent of the total energy intake, 17 percent of total sugars and 52 percent of free sugars in Australia (Australian Bureau of Statistics 2015, 2016). The calorie diversion demonstrates one of the many ways that the food industry has taken advantage of the malleability of nutrient profiling systems to generate favourable evaluations for their products (Hebden et al. 2010; Walker et al. 2008). While the soft drink industry promotes a focus on calorie counting for some portions of its portfolio (such as its flagship carbonated soft drinks), it shifts its discourse to talk about levels of beneficial vitamins and minerals in beverages that are high in sugar but have other nutrients (such as juice or flavoured milk) (Scrinis 2016). This discursive agility reveals how different food companies (with different product portfolios) use and benefit from different interpretations of nutrition science and what it means to encourage “healthy eating awareness” (International Food and Beverage Alliance 2018).

The soft drink industry’s calorie labelling also illustrates the ways in which structural and discursive dimensions of power can intersect and amplify one another. We can observe that Coca-Cola’s global reach and economic resources enable it to roll out front-of-pack calorie labelling on all its products (The Coca-Cola Company 2015c). In the absence of mandatory nutrition labelling in many countries, this essentially makes calorie information the most visible and prevalent type of nutrition information available for many people. This illustrates how structural power can amplify discursive power (Fuchs 2007). Frame repetition or “loudness” is a key factor in its persuasive capacity to shape public opinion (Chong & Druckman 2007b; Entman 1993). A focus on calories is also evident in product reformulation

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<sup>23</sup> Carbonated soft drinks

commitments across the food and beverage industry. In the United States, members of the Healthy Weight Commitment Foundation pledged to remove 1.5 trillion calories from their products by 2015 (Ng, Slining & Popkin 2014). One of the commitments of the UK Public Health Responsibility Deal was to decrease “the nation’s collective calorie intake by five billion calories per day” (Panjwani & Caraher 2014). The Healthier Australian Commitment from the Australian Food and Grocery Council (2012) targeted sodium, saturated fat and energy content, but did not target sugars. Like calorie labelling, these national food industry initiatives serve to amplify the message of calorie counting, which is a key factor in the ability of frames to influence public opinion (Chong & Druckman 2007b); Messer 2012). As these national calorie reduction initiatives frequently involve partnerships with credible health organisations and governments, they also cultivate legitimacy for the message of calorie counting (Dixon, Sindall & Banwell 2004). The combination of the soft drink industry’s market resources alongside the backing of credible health organisations serves to magnify the influence of the soft drink industry’s message of calorie counting.

Further, several public health initiatives directly or indirectly legitimise both the calorie diversion and the physical activity diversion. For instance, in the United States the new Nutrition Facts Panel has been redesigned to highlight the calories in food products more prominently, and in Australia, the first guideline in the 2013 Australian Dietary Guidelines advises that, “to achieve and maintain a healthy weight, **be physically active** and choose amounts of nutritious food and drinks to **meet your energy needs**” (Center for Science in the Public Interest 2018; National Health and Medical Research Council 2013, pp., emphasis added). Neither of these government initiatives are intended to support the soft drink industry’s messages of calorie counting and physical activity, but their existence serves to legitimise the soft drink industry’s corporate health promotion initiatives that revolve around calorie counting and energy balance. As shown in this chapter, the soft drink industry takes advantage of the similarities between its messages and credible public health organisations to enhance the legitimacy of its claims, a strategy also used in the American food industry’s discursive arguments in favour of food aid to developing countries (Clapp 2009). This illustrates one of the ways that the soft drink industry attempts to generate legitimacy for its corporate health promotion initiatives. As discussed in Chapter 2, corporate legitimacy is an important prerequisite for political power and influence (Fuchs 2005, 2007).

Thus far, I have examined how the soft drink industry's efforts to frame nutrition discourse around calories presents soft drinks in a more favourable light than other ways of understanding and evaluating foods. I have also discussed some of the ways that the soft drink industry has sought to promote and legitimise this message. If we now ask, what does the soft drink industry's solution of calorie counting *represent the problem to be*, we can see that the solution of calorie counting implies that the problem is energy imbalance and by extension, weight gain and obesity (Bacchi 2009). As noted in the background of this chapter, calorie counting is relevant when the issue is weight gain, but less so when the issue is nutritional health (Nestle & Nesheim 2012). Indeed, as seen in this case study, the Australian soft drink industry explicitly identifies the "problem" as obesity. This problem representation is also implicit in Nestle's (2015b) physical activity diversion. Essentially, because obesity is frequently explained as the result of energy imbalance, we can understand the "problem" of obesity as easier for the soft drink industry to reframe around calorie counting or physical activity (Dorfman & Wallack 2007; Herrick 2009).

We can observe that the complexity of obesity has facilitated the soft drink industry's capacity to influence public understanding of the relationship between soft drinks and obesity. Williams (2009) suggests that in the domain of "non-consensual science," discursive corporate power is a particularly potent force. While Williams focuses on the debates over adoption of GMO<sup>24</sup> technologies, the complexity of obesity has also exacerbated a "policy cacophony" around obesity (Lang & Rayner 2007). The complexity and controversy surrounding the issue of obesity has delayed policy consensus over its causations and remedies (Baker et al. 2017; Shelley 2012; Shiffman & Smith 2007). The soft drink industry's nutrition education also contributes to the "policy cacophony" around obesity. In this space, we can observe that the soft drink industry has strategically appropriated public health concerns and discourse around the "obesity epidemic" to legitimise its solution to educate consumers about counting calories. This illustrates one of the ways that the inherent complexity of the issue (obesity) has enabled the exercise of corporate power.

Public health experts have noted the food industry's exclusive focus on obesity elsewhere, arguing that "to date, the food industry refuses to engage in a discussion on the role of added sugar in chronic

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<sup>24</sup> Genetically modified organism.

metabolic diseases, exclusive of obesity” (Malhotra, Schofield & Lustig 2018). The Australian soft drink industry for the most part avoids discussing other health consequences associated with its products beyond weight gain. Indeed, Coca-Cola avoided a discussion of the relationship between sugar and diabetes by identifying weight gain (but not sugary drinks) as a risk factor for diabetes. By reframing the relationship between sugary drinks and diabetes in terms of the contribution of soft drinks to weight gain, the soft drink industry obscures the more direct role that sugar may play in diabetes. That a focus on obesity or weight loss can sometimes distract from broader concerns of health and nutrition is a concern often raised in critical obesity studies (Bombak 2014; Guthman 2011; Lockie & Williams 2010; Oliver 2006). Other scholars have advocated for a reframing of the problem as something other than obesity to avoid the stigmatisation that is associated with a focus on weight or to prevent the industry from focusing on physical activity (Dorfman & Wallack 2007; LeBesco 2011). My analysis of the soft drink industry’s calorie diversion reveals an additional reason to shift the problem frame away from obesity: it would diminish the relevance of counting calories and, by extension, challenge the soft drink industry’s dominant discursive attempt to minimise the blame placed on its industry for public health issues.

Analysis of the corporate power of the soft drink industry also draws attention to the challenges it faces, in particular from competing frames and a loss of credibility around the message “all calories count.” The global backlash Coca-Cola faced over its efforts to promote the message that physical activity is more important than diet in obesity suggests that some of the soft drink industry’s ability to shape future debates about obesity and other non-communicable diseases may hinge on its ability to cultivate and retain public trust in corporate nutrition education (Clapp & Scrinis 2017; Gertner & Rifkin 2017). As labelling systems and taxes focusing on sugar content spread across the globe, they hinder the soft drink industry’s ongoing promotion of the calorie diversion, especially its ability to distract from a focus on sugar (Thow & Hawkes 2014; World Cancer Research Fund 2015, 2018; World Health Organization 2016, 2017a, 2017b). Public health campaigns highlighting the health consequences of sugar consumption (such as *Live Lighter* and *Rethink Sugary Drink* in Australia) as well as a growing number of front-of-pack labelling initiatives highlighting sugar content (such as the UK traffic light label or the Chilean Black Stop) have emerged in recent years as counter-frames to the industry’s message of calorie counting (Corvalán et al. 2013; Maubach, Hoek & Mather 2014). In Australia, the absence of mandatory front-of-pack sugar

labelling on soft drinks and a sugary drink tax facilitate the industry's ongoing promotion of the calorie diversion. However, Coca-Cola's recent shift to discussing sugar suggests that the industry recognises the increased global focus on sugar (see Chapter 1 *Holding the soft drink industry accountable for obesity*) and is trying to strategically capture and frame the conversation around sugar to present its industry and its products in a favourable light.

In response to campaigns and regulations in some countries that have fostered a greater public awareness of sugar in soft drinks, we can observe that, in some countries, the soft drink industry is beginning to shift its discursive strategies away from a singular focus on calorie counting. This can be seen in the UK, where following the proposed tax on sugary drinks, Coca-Cola Great Britain (2016b) launched an ad campaign titled *We're taking action on sugar* and a promotional video titled *How we're reducing sugar and calories*. In one of their videos, Coca-Cola Great Britain (2015) described the UK's traffic light labelling system and explained that, "the sugar and calories in our products aren't hidden. They're in plain sight." This discursive support for sugar labelling contrasts with the company's concerted lobbying efforts to oppose the implementation of the system (Hickman 2010). Since 2017, Coca-Cola Australia has begun to more openly discuss the sugar content of its beverages and frame its corporate health promotion initiatives around sugar reductions. We can observe that Coca-Cola Australia is willing to discuss sugar when it presents its company and products in a positive light—such as its progress in reducing sugar across its portfolio, but not when it portrays the company and its products in a negative light. I will elaborate on this observation in Chapter 5. We can also observe that these discursive shifts are not synchronised between countries—the UK soft drink industry began to talk about sugar before Australia did. Further international comparisons could help identify the various forms of corporate nutrition education that are promoted around the world as well as how they have changed in response to different regulatory pressures. I will elaborate on these transformations in Chapter 7.

## Conclusion

This chapter has examined how the soft drink industry has promoted a specific interpretation of nutrition science that benefits its products, especially its flagship carbonated soft drinks. Using a case study of the Australian soft drink industry's nutrition education initiatives, I examined how the industry promotes

calorie counting as a solution to obesity and how the industry uses this message to strategically minimise the contribution of soft drinks to obesity. By closely examining the Australian soft drink industry's explanations of nutrition science and the relationship between its products and obesity (and other health issues), this chapter illuminates two key assumptions underpinning the industry's corporate health promotion initiatives. First, the nutritional belief that "all calories are the same" permeates and underlines most of the soft drink industry's nutritional messages. And second, the soft drink industry's nutrition education around calorie counting implies that the "problem" to be addressed is obesity.

A key finding of this chapter is that the soft drink industry's interpretation of calorie counting as the "right" way to eat silences other ways of understanding the "problem" or its "solutions"—although the beginnings of a shift from talking about calories to talking about sugar can be observed. By interrogating the problem representations implied in the message of calorie counting, this chapter reveals some of the ways that the soft drink industry has captured and reframed public health discourse on obesity to serve its own interests. In the following chapter, I explore how the soft drink industry's message of calorie counting informs and is translated into product development via its commitments to develop low- and no-calorie beverages.

## 5. Soft drink reformulation

### A profitable solution to obesity

*The Australian and New Zealand launch of sugar-free Coca-Cola Zero was an unprecedented success, on the one hand igniting the soft drink market and delivering value to our shareholders, and on the other hand, helping consumers choose, if they wish, a lower kilojoule beverage.*

—Coca-Cola Amatil (2006b).

*The health-conscious consumers who chose diet sodas in the past have become increasingly suspicious of anything that seems artificial.*

—"The Decline of 'Big Soda'" *New York Times* (Sanger-Katz 2015)

## Introduction

This chapter addresses the second research sub-question of this thesis:

**RQ2: How and why does the Australian soft drink industry reformulate sugar-sweetened beverages in response to concerns about calories,<sup>25</sup> sugar and artificial sweeteners?**

Product reformulation plays a prominent role in the national and international commitments of the soft drink industry to address obesity. As part of its *Coming Together* campaign discussed in the preceding chapter, The Coca-Cola Company (2013a), committed to “offer low-or no-calorie beverage options in every market.” Both The Coca-Cola Company and PepsiCo are members of the International Food and Beverage Alliance (2018), whose first commitment is to improve product formulation by “reducing nutrients of concern and adding beneficial nutrients.” Increasingly, voluntary food industry initiatives and public-private-partnerships to reduce nutrients of public health concern through product reformulation have emerged as cornerstones in government responses to obesity, such as the Public Health Responsibility Deal in the UK and the Healthy Weight Commitment Foundation in the US (Ng, Slining & Popkin 2014; Panjwani & Caraher 2014).

While reformulation is often framed as a “win-win” solution for business and public health, public health and government stakeholders are divided in their support for reformulation (Scott, Hawkins & Knai 2016). Some argue that reformulation can reduce the levels of harmful nutrients in the food supply (Hashem, He & MacGregor 2016; Heart Foundation 2012; McGinnis, Gootman & Kraak 2006; Sacks et al. 2015; World Health Organization 2004); others argue that reformulation predominantly allows the food industry to market minimally improved products to health conscious consumers (Monteiro & Cannon 2012; Nestle 2013; Scrinis 2016; Scrinis & Monteiro 2018). Moreover, corporate product reformulation strategies are continually changing in response to market and political drivers, which complicates analyses and evaluations of product reformulation. While public health groups advocate a reduction in sugar, some consumers are turning away from reduced sugar drinks because of concerns

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<sup>25</sup> As noted in Chapter 4, the Australian soft drink industry uses the terms *calorie*, *kilojoule* and *energy* in its nutrition communications. Except in the case of quotations from my data, I use the term *calorie*, as this term is used more frequently internationally (Nestle & Nesheim 2012).

about artificial<sup>26</sup> sweeteners (Esterl 2015; Sanger-Katz 2015). Little research examines how the soft drink industry is negotiating this dynamic alongside its commitments to address obesity by reducing the sugar in its products.

In this chapter, I use a case study of Coca-Cola Australia<sup>27</sup> to examine how the soft drink industry's reformulation strategies have evolved and changed since they were first positioned as "part of the solution" to obesity. I explore how the company positions its reformulation initiatives as part of the solution to obesity, and I analyse three strategies that the company uses to reduce the sugar content of its soft drinks: develop smaller "portion sizes;" replace sugar with artificial sweeteners; and partially replace sugar with stevia sweeteners. The previous chapter examined some of the soft drink industry's attempts to frame the debate on sugary drinks in terms of calories and energy balance. This chapter examines how those discursive strategies inform and are translated into product development. I also consider other business and political objectives that these reformulated beverages address and the multiple, and at times contradictory, aims and demands that they attempt to negotiate.

This case study responds to two gaps in the scholarly literature on the soft drink industry's reformulation strategies. First, although there is a growing body of literature analysing the reformulation initiatives of the food and beverage industry, there are few case studies of the actions the soft drink industry is taking to reformulate soft drinks in specific countries or how these actions change over time. This chapter offers the first case study of Coca-Cola Australia's reformulation strategy in response to obesity. Second, by exploring the market and political rationales offered by the soft drink industry for reformulation, this case study contributes to the body of scholarship analysing the politics of the food and beverage industry's corporate health promotion strategies. This analysis helps to reveal some of the ways that the soft drink industry has captured and commercialised some of the proposed solutions to obesity as well as the tensions and barriers it faces in negotiating different consumer and public health interpretations of healthy beverages.

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<sup>26</sup> Although "artificial," like "natural," is a contested term, for readability I rarely use quotation marks around this term.

<sup>27</sup> Unless otherwise specified, I use the term "Coca-Cola Australia" to refer to both Coca-Cola Amatil and Coca-Cola South Pacific (the Australian branches of the global company) and I refer to the global company as The Coca-Cola Company (TCCC). For more details, see Chapter 1, *The Australian Soft Drink Industry*.

In the following section, I discuss two areas of scholarship informing this case study: first, research on how the food industry has engaged with reformulation as a response to obesity; and second, research on some of the economic, political and health concerns influencing the soft drink industry's reformulation initiatives. I then present my results and conclude with a discussion of my key findings.

## Background

A large body of literature examines the food industry's reformulation initiatives and raises questions about the extent to which they contribute to public health solutions to obesity. Within this body of scholarship, some researchers raise concerns about whether the economic and political benefits of reformulation for the food industry outweigh public health progress.

Food and public health scholars also examine the context in which reformulation is occurring and raise questions about the influence of different political and market pressures on reformulation strategies.

Some examine how the health concerns underpinning and compelling reformulation have changed over time and the ways that the food industry has used reformulation to capture and commercialise these concerns.

### Product reformulation as a response to obesity

As part of its corporate social responsibility pledges to address obesity, the soft drink industry, along with the packaged food and beverage industry, has committed to “improving the formulation” of its products (International Food and Beverage Alliance 2018). Product reformulation has two key dimensions: the reduction or removal of “nutrients of public health concern” or “nutrients to limit,” in particular added/free sugars, salt/sodium, saturated fat, trans-fats and calories; and the addition of “beneficial” or “positive” nutrients and ingredients such as protein, vitamins, minerals, fibre, whole grains, fruits and vegetables (Drewnowski 2017; Scrinis 2016; Scrinis & Monteiro 2018; van Raaij, Hendriksen & Verhagen 2009). A more recent manifestation, so-called “wholefood reformulation” taps into and is marketed towards the “clean label” trend and replaces highly processed or “artificial” ingredients with ingredients that are minimally processed or perceived to be more natural (Scrinis & Monteiro 2018). Of these three reformulation strategies, the term “reformulation” is most commonly used to refer to the first strategy:

reducing nutrients of public health concern (Gibson et al. 2017; Kaldor 2018; Sacks et al. 2015; Thow & Hawkes 2014; World Health Organization 2014). For the soft drink industry, there are two relevant nutrients of public health concern: sugars (in particular added or free sugars) and calories/kilojoules.

Most product reformulation has occurred via voluntary actions taken by the food industry, with the exception of mandatory limits on trans-fats in some countries (Downs, Thow & Leeder 2013). Since the 1980s, the food industry has responded to consumer concerns and public health advice about fat, calories and other nutrients of public health concern and developed low-fat and “lite” alternatives that it has marketed to health-conscious consumers (Belasco 2007). The ascendance of obesity on the public health agenda (and the regulatory threats accompanying it) has transformed this marketing strategy into global corporate social responsibility commitments (Scott, Hawkins & Knai 2016; Scott & Nixon 2017). In 2008, when the International Food and Beverage Alliance formed and presented its commitments to the World Health Organisation, The Coca-Cola Company and PepsiCo both made reformulation pledges (Sacks et al. 2015; Yach et al. 2010). These pledges have since been elaborated and strengthened. In 2016, PepsiCo updated its global reformulation targets and pledged that at least two-thirds of its beverages will have 100 calories or fewer per 12 ounce serving by 2025 (its previous target was to reduce sugar by 25 percent by 2020 “in certain drinks in certain markets” (Geller 2016). The Coca-Cola Company, in contrast, has not set out global sugar reduction targets, but has pledged to “support” the WHO’s guideline to limit sugar intake to less than 10 percent of calorie intake (International Food and Beverage Alliance 2017b).

National and regional soft drink associations have also set sugar reduction targets. In the EU, the soft drink sector has pledged to “accelerate” its sugar reduction and reduce the average added sugar content of its beverages by an additional 10 percent (The Coca-Cola Company 2017). In June 2018, the Australian Beverages Council announced an industry pledge to reduce sugar by 20 percent across company portfolios by 2025 (Dalzell 2018).

The World Health Organisation’s 2004 *Global Strategy for Diet, Physical Activity and Health* identified product reformulation as one of the key recommended actions for the private sector (World Health Organization 2004). Other public health organisations and researchers have also supported product reformulation as a strategy to respond to obesity and other diet-related health issues (Hashem, He & MacGregor 2016;

Heart Foundation 2012; McGinnis, Gootman & Kraak 2006; Sacks et al. 2015). This support for reformulation has created opportunities for public-private partnerships and industry participation in policy development. Several governments have introduced public-private partnerships with the food industry to support reformulation initiatives, such as the Public Health Responsibility Deal in the UK and the Healthy Weight Commitment Foundation in the US (Ng, Slining & Popkin 2014; Panjwani & Caraher 2014). In Australia, the Food and Health Dialogue has been replaced with the Healthy Food Partnership; both initiatives have faced criticisms over industry influence and minimal progress (Cullerton et al. 2016; Elliott et al. 2014; Jones et al. 2016). Research on food industry involvement in public-private partnerships more generally raises concerns about industry co-optation of policy agendas and the potential for these initiatives to legitimise industry participation in the policy process (Freedhoff 2014; Hawkes & Buse 2011; Kraak et al. 2012; Miller & Harkins 2010; Moschetti & Taylor 2015; Nestle 2015b; Stuckler & Nestle 2012). These issues will be explored further in Chapter 6.

While many public health organisations and advocates support product reformulation in principle, several researchers and advocates have voiced criticisms of how the food industry has implemented reformulation in practice. One criticism is that the food industry rarely reformulates existing products, but instead develops new, reformulated alternatives and then uses health and nutrition claims to market the nutrient reduction (for example, Coke No Sugar) (Nestle 2013; Panjwani & Caraher 2014; Scrinis 2016). These new, reformulated products are marketed to health conscious consumers and tap into nutritional aspirations and fears, helping the food industry to grow its market and increase profits (Clapp & Scrinis 2017). While these reformulated products may offer healthier alternatives, because they are essentially new innovations that co-exist with the original products, they rely on consumers exercising personal responsibility to purchase them (van Raaij, Hendriksen & Verhagen 2009). This raises concerns about the cost and availability of new reformulated products and whether the development of “healthier” alternatives may exacerbate existing inequalities in access to nutritious foods (Scrinis 2016; van Raaij, Hendriksen & Verhagen 2009). A second criticism is that food companies are not reformulating all of their products, but selectively reformulating some products (and then highlighting those reformulations in their CSR reports) (Scrinis 2016). While many food companies have global reach, reformulation efforts have for the most part targeted the Global North (Monteiro & Cannon 2012). A third concern addresses

the nature of the reformulation occurring and questions whether reformulation results in a substantially healthier product, or whether it produces “lesser evil” foods (Nestle 2013). Food and public health scholars argue that food companies only remove an insignificant amount of the offending nutrient/ingredient (Nestle 2013; Simon 2006). They also note that the substituted ingredient may be just as problematic or worse than the original (such as when saturated fats were removed and replaced with trans-fatty acids or when fat was removed and replaced with sugar) (Monteiro & Cannon 2012; Scrinis 2013, 2016). These criticisms illustrate some of the gaps between public health experts’ expectations for product reformulation and the way in which the food industry has (re)interpreted the mandate for reformulation to suit its business interests.

To achieve the World Health Organization’s recommendation that free sugars should not provide more than 10 percent of calorie intake, governments and health organisations have proposed a gradual and systematic reduction of the sugar content in packaged foods as part of a wider package of policy proposals (see Chapter 1, *The regulators: policies targeting soft drinks*) (Action on Sugar 2014; Gibson et al. 2017; Public Health England 2015; Thow & Hawkes 2014). Public health advocates for systematic reformulation argue that because it does not rely on individual behaviour change it is more equitable than other interventions that may widen health inequalities (Public Health England 2015). This approach builds on successful salt reduction programs that occurred across the world (Hashem, He & MacGregor 2016; Webster et al. 2014). In contrast to the earlier reformulation efforts taken by the industry, these gradual reductions often occurred without overt marketing campaigns, leading public health researchers to refer to them as “health by stealth” (Gibson et al. 2017; Savio et al. 2013; Webster et al. 2014; Zandstra, Lion & Newson 2016). The aim of “stealth” reformulation is twofold: to gradually alter consumer taste preferences and to avoid consumer backlash against reformulated products (Moss 2013; Public Health England 2015). To reduce free sugars in soft drinks, public health experts have proposed smaller portion sizes and the substitution of non-caloric sweeteners for sugars (Gibson et al. 2017). Gradual “stealth” reformulation of the sugars in the food and beverage supply has begun to occur, but because these actions are frequently unpublicised, they are difficult to monitor and evaluate (Savio et al. 2013).

A growing body of literature seeks to document and monitor the reformulation efforts of the food industry (Access to Nutrition Index 2018; Hawkes, Jewell & Allen 2013; Luger et al. 2018; Neal et al. 2013; Sacks & Robinson 2018; Sacks et al. 2013). These initiatives offer useful insights into nutrient level changes in the food supply as well as food industry reformulation policies and actions. A key finding is that the reformulation initiatives of the food industry differ substantially between countries and across companies (Access to Nutrition Index 2018; Sacks et al. 2015; Sacks & Robinson 2018; World Cancer Research Fund 2017). Some scholars also analyse the political consequences of reformulation, albeit until recently this has received little scholarly analysis. Key studies include: Scott and colleagues' analysis of the politics of reformulation policy in the United States (Scott 2017; Scott, Hawkins & Knai 2016; Scott & Nixon 2017); Monteiro and colleagues' questioning of the merits of ultra-processed food reformulation (Monteiro & Cannon 2012; Monteiro et al. 2011a; Moodie et al. 2013; Scrinis & Monteiro 2018); and Clapp and Scrinis' (2017) analysis of how reformulation draws on and amplifies corporate power. Several insights from these studies are relevant to my Australian case study. First, product reformulation usually occurs in highly processed, or ultra-processed foods, such as soft drinks (Monteiro & Cannon 2012; Scrinis & Monteiro 2018). Second, an often unconsidered outcome of reformulation is the continued consumption of processed foods and the possible growth of processed food consumption in the Global South (Monteiro & Cannon 2012). This essentially maintains the food industry's business objectives to grow profits and market share, which also increases the political power of the industry (Clapp & Scrinis 2017). Similarly, product reformulation may also legitimise processed food consumption (Scrinis & Monteiro 2018). Lastly, the food industry may also use its voluntary initiatives to pre-empt unwanted government regulations and to present the industry as part of the solution to obesity—a strategy I will elaborate on further in Chapter 6 (Scott, Hawkins & Knai 2016).

It is clear that the packaged food and beverage industry's reformulation policies and practices are changing and evolving, and an emerging body of literature seeks to analyse how and why this is happening. To better understand the evolution of food industry reformulation strategies and what is driving these changes, we need to understand the context in which reformulation is occurring. What motivations have compelled companies to reformulate soft drinks? How have these motivations changed?

In the following section, I examine some of the key dynamics that have shaped the trajectory of soft drink reformulation.

### Factors driving soft drink reformulation

In this section, I consider some of the pressures that the soft drink industry faces that encourage or discourage different approaches to reformulation. Scott and Nixon (2017) identify three rationales for why reformulation has occurred: a business rationale, a political rationale and a health rationale. Here, I consider how these rationales have played out in the soft drink industry; I also examine a wider set of health concerns that encompass consumer acceptance and rejection of artificial sweeteners and the opportunities and constraints this presents for the soft drink industry. The history of sugar substitution with “artificial” sweeteners illustrates the historical consumer ambivalence about the health, safety and value of artificial sweeteners and illuminates some of the soft drink industry’s incentives and disincentives to pursue reformulation.

There are several business rationales for the food industry to reformulate its products. The rationale for food companies to develop new products is relatively straight-forward: they can diversify their portfolios and tap into consumer health concerns—thus expanding their profits and market share (Scott & Nixon 2017; Scrinis 2016). Cost-savings from cheaper ingredients may also motivate reformulation. In the history of soft drink reformulation, artificial sweeteners were first used in American soft drinks to replace sugar not for health reasons, but because they were cheaper than sugar (De la Peña 2010). Their lab origins insulated sweeteners from market fluctuations in price unlike sugar, which was produced in countries with potentially unstable political climates. According to court case documents, even Coca-Cola contained saccharine until 1907 (*Coca-Cola Bottling Co. of Shreveport v. Coca-Cola Company* 1983). Similar incentives led the American soft drink industry to substitute high fructose corn syrup for cane and beet sugar in the 1980s (Elmore 2015). Particularly relevant for current reformulation strategies in response to obesity is the business incentive to tap into and commodify consumer health concerns. While diet soft drinks were developed for a medical purpose (the first beverages were designed for diabetic patients), it was their growing use as a weight-loss product that led to their exponential consumption in the United States (De la Peña 2010; Donovan 2013; Smith & Oliver 2015). The commercial success of diet soft

drinks drew the attention of The Coca-Cola Company and PepsiCo, who launched their first diet soft drinks (Tab and Diet Pepsi) in 1963 (Donovan 2013). In the history of sweetener substitution for sugar in the beverage industry, health appears as a secondary factor preceded by the more relevant business imperatives of cost, convenience and sales. Analysis of news articles about reformulation in the United States found that business interests dominated explanations for why the food industry engaged in reformulation (Scott & Nixon 2017).

The political rationale for reformulation has emerged more recently as governments around the world have shown their willingness to hold the food industry, in particular soft drink manufacturers, accountable for rising obesity rates (Popkin 2012; Scrinis 2016; Stuckler et al. 2012). Many governments are putting greater pressure on the soft drink industry to reformulate sugary drinks through taxes on sugar content or front-of-pack labels identifying products high in sugar (see Chapter 1 *The Regulators*) (Borges et al. 2017; Corvalán et al. 2013; Hawley et al. 2013; Smith et al. 2018; Vyth et al. 2010). While Australian health organisations as well as the Australian Greens Party (a left-wing political party with roots in the environmental movement) have proposed taxes on sugary drinks in Australia, so far the Australian federal government has rejected these proposals (Dow 2017; Han 2018a). In some cases, soft drink manufacturers have responded to these regulatory threats by more rapidly reformulating their beverage portfolios, such as was seen in the UK in the lead up to the sugary drinks levy (Martyn-Hemphill 2018). The soft drink industry has also promoted voluntary reformulation commitments as an alternative to proposed regulations, a corporate political activity strategy referred to as policy substitution (Baker 2017; Mialon, Swinburn & Sacks 2015; Scott, Hawkins & Knai 2016). I will discuss this strategy in more depth in Chapter 6. These developments illustrate how political pressures to reduce the sugar content of soft drinks have amplified the earlier business incentives driving the soft drink industry to use artificial sweeteners.

In addition to these business and political drivers, the soft drink industry is responding to different and competing health concerns. The public health movement to systematically reduce global sugar consumption co-exists with a growing consumer backlash against artificial or highly processed ingredients, manifest in the so-called “clean label” or “real food” movements (Food Business News 2016;

Knight 2006; Mintel 2015; Nielsen 2015). Consumers who follow the “clean label” trend perceive sweeteners as harmful due to their chemical and “unnatural” characteristics (Belasco 2007; Biltekoff 2016). The consequences of this trend for the soft drink industry are evident in the declining sales of diet soft drinks using artificial sweeteners in the United States since the early 2000s (Esterl 2015; Popkin & Hawkes 2016). High fructose corn syrup has also fallen out of favour, with American soft drink manufacturers replacing the sweetener with more “natural” alternatives such as cane or beet sugar, honey, agave nectar or maple syrup (Chaker 2016; Green Bee Craft Beverages 2016; Heiss 2015; Rocky Mountain Soda 2016; Vermont Sweetwater Bottling Company 2016).

Consumer acceptance of artificial sweeteners has fluctuated since their origin due to shifting nutritional beliefs about sugars as well as the safety of chemicals in foods (De la Peña 2010; Mintz 1986). The first artificially sweetened soft drinks were not advertised as “diet” beverages, as consumers viewed saccharin as a cheap, fraudulent adulterant used to replace the more “valuable, nutritive and pleasurable” sugar in soft drinks (De la Peña 2010). In this period, sugar was valued as a cheap and healthy source of calories/energy (Mintz 1986; Scrinis 2013). The demand for and acceptance of “diet” beverages coincided with a shift in nutritional beliefs about calories. As the thin female body became the beauty standard, calories became vilified as an unwanted source of weight gain in the 1920s and 1930s (De la Peña 2010; Scrinis 2013). In this new nutritional context, sweeteners enabled a fundamental shift in the meaning of “diet.” With sweeteners, no longer did dieting necessitate the denial of pleasurable, sweet foods. Instead, dieters could “reduce” painlessly, and circumvent the “pleasure-health paradox”: the belief that healthy food is less pleasurable and conversely that good-tasting food is unhealthy (Biltekoff 2010; De la Peña 2010).

Consumer acceptance of artificially sweetened soft drinks in the United States was also facilitated by a shift in the national mood towards embracing the role of technology in everyday life (De la Peña 2010). Within this context, artificial sweeteners and their use in cooking were perceived to be innovative and progressive—a concept perhaps best epitomized in Du Pont’s infamous advertising slogan: “better things for better living...through chemistry” (Rhees 1993). While food technology flourished in the 1950s, the perception that technological intervention in food was unquestionably good and progressive became

gradually more contested throughout the 1960s and 1970s. Food played a powerful symbolic role in the American counter-culture movement, which rejected industrial, “plastic” food in favour of natural foods (Belasco 2007; Levenstein 2003). More recently, some of these concerns about the health impacts of industrial processing have manifested in nutrition research and policies. Some public health groups suggest avoiding artificial sweeteners along with other additives often found in ultra-processed foods (Borges et al. 2017; Monteiro et al. 2011a).

The food and beverage industry’s response to consumer concerns about sweeteners has been consistent. In response to concerns about the role of technology and chemicals in foods in the 1970s and 1980s, sweetener manufacturers emphasised the connections between their products and “natural” foods and processes. The rhetorical shift in sweetener marketing strategies from amplifying technological innovation in the post WWII period to then obscuring it several decades later illustrates the public’s ambivalence about food technology as well as the flexibility of food industry marketing. Sweetener historian De la Peña (2010) argues that the key creation of pharmaceutical and agrochemical companies Searle and Monsanto was not their product (NutraSweet/aspartame); instead, it was the strategic repositioning of an artificial sweetener as a natural product with the “offending attribute removed,” rather than an (unnatural) imitation of sugar (De la Peña 2010, p. 189). Twenty years after the invention of NutraSweet, Splenda manufacturer McNeil Nutritionals used a similar marketing tactic to position the sweetener sucralose as “made from sugar” and thus more natural than its competition (De la Peña 2010). The most recent iteration of this pattern is the food industry’s investment in plant-based sweeteners, such as stevia (Chesterton & Yang 2016; Engber 2014). Stevia sweeteners, like sucralose and aspartame before them, are marketed as more natural alternatives to their sweetener predecessors, however the food industry faces contestation over the credibility of these claims (Feliciano 2014; Michail 2015a; Watson 2014).

The soft drink industry’s marketing of the natural characteristics of sweeteners reflects and embodies a different interpretation of health than mainstream public health nutrition. Historically, mainstream nutrition science has been premised on the paradigm of “nutritionism,” which evaluates the healthfulness of foods through a reductive focus on their nutrient composition (Scribis 2013). Through this lens, artificial sweeteners are beneficial, as they help to reduce nutrients of public health concern in soft drinks

(sugars and calories). However, this perspective neglects consumer concerns about synthetic or artificial ingredients in foods, such as the artificial sweeteners used in diet soft drinks (Scrinis & Monteiro 2018). Earlier concerns about artificial sweeteners were partly shaped by ideological criticisms of the industrial food system (Belasco 2007). Alongside this, an emerging body of clinical nutrition research questions the negative impact of artificial sweeteners on weight gain, cardiovascular disease and glucose intolerance (Borges et al. 2017; Imamura et al. 2015; Suez et al. 2014). Although these studies offer different explanations for why artificial sweeteners may be harmful, like consumer demands for “natural” foods and ingredients, clinical nutrition research on the harms of sweeteners often sits in tension with public health policies advocating a reduction in sugar consumption (World Cancer Research Fund 2015). To be clear, reducing sugar consumption and reducing artificial sweetener consumption are not necessarily exclusive—sugar consumption can be reduced without the use of artificial sweeteners. Nonetheless, concerns about “artificial” sweeteners presents a dilemma for the soft drink industry: the dominant reformulation strategy for soft drinks is the substitution of sweeteners for sugars.

## Data collection and analysis

In this chapter, I analysed a dataset of 144 publicly available documents published by Coca-Cola Australia between January 2003 and July 2017 including: 14 annual reports, 7 sustainability reports, 10 factbooks, 15 investor presentations and 33 annual general meeting minutes and presentations (Coca-Cola Amatil); and 2 policy submissions and 63 webpages (Coca-Cola South Pacific). Coca-Cola Amatil’s annual reports were publicly available from 1983, however prior to 2003, its reports did not discuss obesity, so I excluded them from my analysis. In the documents I analysed for this case study, Coca-Cola Australia discussed the specific reformulation initiatives its company pursued and provided metrics on its progress. It also presented different business and public health rationales for its reformulation initiatives. Coca-Cola Australia’s health-focused rationales for reformulation predominantly came from Coca-Cola South Pacific, the regional marketing arm of The Coca-Cola Company and creator of the Coca-Cola Journey website, whereas its business-focused rationales for reformulation predominantly came from Coca-Cola Amatil, the regional bottler for The Coca-Cola Company (see Chapter 3 for more details about the above data sources and collection strategies).

My data analysis occurred in two phases. I first examined how Coca-Cola Australia’s approach to and communication of its reformulation strategies evolved over time. I chronologically documented Coca-Cola Australia’s CSR statements about reformulation between 2003 and 2017 and analysed the evolution of its approach. This analysis is presented in the first section of my results. Second, I examined three of Coca-Cola Australia’s reformulation strategies: the development of smaller “portion sizes;” the use of artificial sweeteners; and the use of sweeteners derived from the stevia plant. I also analysed the various rationales that the company offered for its different reformulation strategies. Specific attention was paid to whether and how Coca-Cola Australia framed the benefits of different reformulation strategies in terms of market opportunities or health benefits. In the case of stevia, I also examined how the company endeavoured to present the sweetener as more natural than other sweeteners. I discuss these strategies and their rationales in the second section of my results. This case study helps to illuminate some of the material changes to the soft drink industry’s beverage portfolio as well as how the soft drink industry discursively communicates its position on the health and market benefits of reformulation.

## Results

### The evolution of reformulation: from offering variety to “stealth” sugar reformulation

Based on my analysis of Coca-Cola Australia’s CSR pledges between 2003 and 2017, I identified three phases in its approach to reformulation (Table 11). While many of the reformulation strategies and practices overlapped between phases, each phase marked a discursive shift in how Coca-Cola Australia talked about its reformulation commitments. I call these three phases *offering variety*, *diluting the portfolio* and *stealth sugar reformulations*.

Table 11: Coca-Cola Australia’s reformulation pledges

| PHASE                           | YEAR | PRODUCT REFORMULATION PLEDGE                                                                                                                                                                                                     |
|---------------------------------|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PHASE 1:<br>OFFERING<br>VARIETY | 2003 | - “A full range of beverages is being offered to consumers to suit the lifestyles of all individuals, from water to carbonated drinks and including low calorie alternatives”                                                    |
|                                 | 2004 | - “[Provide] a range of beverages varied in caloric content...”                                                                                                                                                                  |
|                                 | 2005 | - “We are expanding our beverage range to provide choice for everyone—carbonated beverages containing sugar, low calorie beverages, water, plain and flavoured mineral waters, fruit juices, sports drinks, iced tea and coffee” |

|                                          |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------------------------------|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PHASE 2:<br>DILUTING THE PORTFOLIO       | 2006 | <ul style="list-style-type: none"> <li>- “[Continue] the reduction of the net energy density of CCA beverages in Australia”</li> <li>- “[Introduce] smaller portion size bottles and cans in Australia”</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                          | 2008 | <ul style="list-style-type: none"> <li>- “[Provide] a non-sugar alternative for every sparkling beverage with sugar”</li> <li>- “Reduce total kilojoule content of non-alcoholic beverage portfolio”</li> <li>- “Further increase proportion of sugar-free beverages”</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                          | 2010 | <ul style="list-style-type: none"> <li>- “[Provide] a non-sugar alternative for every sparkling beverage with sugar”</li> <li>- “Aim to reduce total kilojoule content of non-alcoholic beverage portfolio”</li> <li>- “Further increase proportion of non-sugar beverages”</li> <li>- “Continue to offer consumers choice in packaging, portion sizes and beverages options”</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                          | 2011 | <ul style="list-style-type: none"> <li>- “Continue to expand beverage and food range and offer consumers a wide variety of choice in products, energy and portion sizes”</li> <li>- “[Expand] our product range to provide a low-kilojoule or no-kilojoule option for most sugar-sweetened beverages”</li> <li>- “[Provide] smaller portion packaging sizes in beverages and food”</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                          | 2013 | <ul style="list-style-type: none"> <li>- “[Provide] people with choice – more no-sugar beverages and smaller portion sizes”</li> <li>- “Offer consumers a wide variety of choice in products, energy and portion sizes”</li> <li>- Roll out <i>Refresh 2020</i> “committing to increasing smaller portion sizes; offering more low-kilojoule options...”</li> <li>- “Increase the availability of smaller portion sizes”</li> <li>- “[Continue] to develop low kilojoule alternatives and work with scientists and nutritionists on innovative ingredients including all natural, low kilojoule sweeteners”</li> </ul>                                                                                                                                                                                                                 |
|                                          | 2014 | <ul style="list-style-type: none"> <li>- “[Provide] consumers with product choice through CCA’s zero and low kilojoule beverages, including a portfolio of spring water options”</li> <li>- “[Launch] Coke Life in April 2015 in Australia, a product that has 35% fewer kilojoules and is naturally sweetened with stevia”</li> <li>- “[Provide] varied portion sizes, including the launch of the 250ml can across our Australian market”</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                 |
|                                          | 2015 | <ul style="list-style-type: none"> <li>- “Coca-Cola Amatil will continue to implement The Coca-Cola Company’s systematic reformulation plan for many of our non-alcohol beverages, progressively reducing kilojoules over time and providing more choice in smaller portion sizes”</li> <li>- “We will continue to build on the progress of our commitments and make positive changes to our non-alcohol beverages, by increasing the availability of smaller portion sizes, reformulating some of our most popular products to reduce kilojoules and offering more low-kilojoule beverage options”</li> </ul>                                                                                                                                                                                                                         |
|                                          | 2016 | <ul style="list-style-type: none"> <li>- “We will reduce sugar content across our portfolio, while offering new, great tasting, low- and no-kilojoule products”</li> <li>- “[Continue] to implement reformulations across our portfolio in Australia in partnership with The Coca-Cola Company, including:</li> <li>- Reformulated all of our Deep Spring flavours range, reducing more than a quarter of the sugar content</li> <li>- Reduced sugar and kilojoule content of Sprite by 14%</li> <li>- LIFT now has 23% less sugar and 21% less kilojoules”</li> </ul>                                                                                                                                                                                                                                                                 |
| PHASE 3:<br>STEALTH SUGAR REFORMULATIONS | 2017 | <ul style="list-style-type: none"> <li>- “We aim to reduce sugar across our entire portfolio by 10% [by 2020]”</li> <li>- “We’ve reduced sugar and kilojoules in 22 products since 2015”</li> <li>- “12 reformulations are planned for sugar reduction from August 2017 to December 2018”</li> <li>- “From 2017 our ambition is for all new Coca-Cola innovations to be reduced, low or no sugar only”</li> <li>- Introduce company Nutrition Guidelines to “drive the reformulation and new product development program”; sugar targets ≤ 7.9g sugar per 100mL</li> <li>- “We’re committed to providing consumers with more choice by providing a range of smaller packs and more convenient sizes across our portfolio. And importantly, making sure we increase the availability of these small packs in more locations”</li> </ul> |

Data sourced from: Coca-Cola Amatil Annual Reports (2003, 2004, 2005a, 2014b), Coca-Cola Amatil Sustainability Reports (2006b, 2008b, 2010b, 2011b, 2013, 2015c, 2016) and Coca-Cola Amatil’s (2017b) report *Sugar Reduction: our actions in the marketplace*.

In the first phase (2003-2005), which I refer to as *offering variety*, Coca-Cola Australia committed to offer choice and variety for consumers. Coca-Cola Australia first acknowledged the role of its products in addressing obesity in the Q&A section of its 2003 annual report, when asked the question “What is

CCA's role in helping to address increased health concerns about obesity?" The company responded that it sponsored sports and education programs as well as offering a "full range of beverages...including low-calorie alternatives" (Coca-Cola Amatil 2003). 2003 did not mark a transition in Coca-Cola Australia's reformulation practices (it already had a large portfolio of low-calorie beverages), but rather a discursive shift in how it presented reformulation as part of the solution to obesity. The company pledged to expand the low-calorie choices available to consumers but made no explicit statements about sugar or calorie reduction targets in the CSR section of its annual reports. The absence of a specific CSR statement focusing on health illustrates the relatively low position of obesity on Coca-Cola Australia's agenda during this phase. In 2006, Coca-Cola Australia published its first sustainability report in Australia and introduced its *Marketplace* pillar, which focused on its obesity commitments (although it did not mention obesity in a sustainability report until 2010). This coincided with the transition to the second phase of reformulation commitments.

In the second phase (2006-2014), which I refer to as *diluting the portfolio*, Coca-Cola Australia committed to reduce the net energy density of its portfolio. Like in its first phase, Coca-Cola Australia continued to develop new low-calorie/sugar<sup>28</sup> alternatives to its existing beverages; however, the language of its commitment changed to emphasise its progress on growing the low-calorie portion of its portfolio:

*While the range of our products and the volume of beverages sold in Australia has expanded markedly since 2002, we have at the same time lowered the energy density of our product portfolio (Coca-Cola Amatil 2006b).*

*Diet beverages and water represented 34% of our volume sales in 2009 compared with 25% in 2005 (Coca-Cola Amatil 2010b).*

*In 2003 the average calories per 100ml of CCA beverages sold was 31.5 calories, in 2010 it was 28.1, a reduction of 10.8%. (Coca-Cola Amatil 2011b).*

Because these metrics focused on portfolio-level changes, they did not require Coca-Cola Australia to sell fewer drinks; rather, they allowed the company to increase sales of low-calorie/sugar beverages. This allowed the soft drink industry to continue growing its portfolio, while effectively diluting its average

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<sup>28</sup> In the context of reformulation, these terms are essentially interchangeable for the soft drink industry, as sugars usually provide most of the calories in beverages. However, as discussed in Chapter 4, in the context of nutrition communications these terms are not interchangeable.

energy or sugar content. During this phase, Coca-Cola Australia continued to frame the development of new, low-sugar beverages as part of the solution to obesity. These new beverages were frequently smaller “serving sizes” or brand extensions, like Coke Zero (Coca-Cola Amatil 2006b). A less common strategy was to reformulate and replace an existing beverage (such as the reformulation of Nestea in 2008 or of Glacéau Vitaminwater in 2011) (Coca-Cola Amatil 2008b, 2011b). Until 2015, Coca-Cola Australia’s dominant reformulation strategy remained the development of new, low-sugar or low-calorie alternatives to sugary soft drinks already on the market.

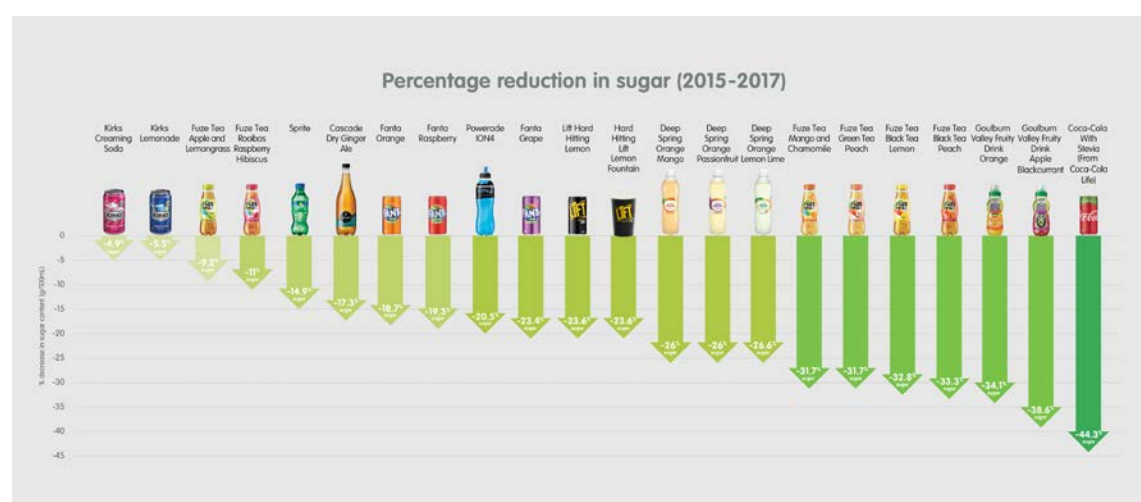
In the third and current phase (2015-present), which I refer to as *stealth sugar reformulation*, Coca-Cola Australia pledged to systematically reformulate existing products to reduce their sugar content. As shown in Table 11, this shift originated with The Coca-Cola Company’s strategy for “taking more and bolder action to reduce sugar,” which outlined the company’s initiatives to reduce its “sugar footprint” (Coca-Cola Amatil 2017a). In 2017, Coca-Cola Australia outlined its “Commitment to Sugar Reduction” in its report *Sugar Reductions: our actions in the marketplace*, which stated that the company’s “ambition is for ALL new Coca-Cola innovations to be reduced, low or no-sugar only” (Coca-Cola Amatil 2017b). Coca-Cola Australia also developed company nutrition guidelines and category targets to “drive the reformulation and new development program”; the company’s sugar guideline was “≤7.9g sugar per 100mL” (Coca-Cola Amatil 2017b).

Coca-Cola Australia’s stealth sugar reformulation strategy differed from its previous reformulation strategies in material and discursive ways. Rather than develop new alternatives to market alongside the original version (such as Diet Coke or Diet Sprite), this strategy reformulated and replaced the original version. Indeed, Coca-Cola Australia’s *Sugar Reductions* report made this distinction explicit, differentiating between “new product innovations” (including Coca-Cola No Sugar and Coca-Cola with Stevia) and “reformulation” of existing beverages (Coca-Cola Amatil 2017b). Coca-Cola Australia also differentiated between two reformulation strategies: one strategy reduced sugar content *and* sweetness over time by reducing sugar and not replacing it with a sweetener (for example Kirks Lemonade and Lift Hard Hitting Lemon); a second strategy reduced sugar content but maintained the sweet taste profile by replacing sugar with a sweetener (for example Sprite and Fanta Raspberry) (Coca-Cola Amatil 2017b). Coca-Cola

Australia's strategy of stealth sugar reformulation did not replace the company's ongoing initiative to grow its range of low-sugar beverages but co-existed with it.

We can also observe discursive changes in how Coca-Cola Australia communicated its stealth reformulation strategy. Coca-Cola Australia's stealth reformulations were characterised by an absence of product marketing campaigns during the initial roll out (such as the widespread advertising of the launch of Coke Zero). Instead, stealth reformulations were discussed retrospectively in detailed product reformulation pledges and publicised reports documenting the company's reformulation progress (Coca-Cola Amatil 2017b; Coca-Cola Journey 2017c, 2018b, 2018d). In an investor presentation, Coca-Cola Australia noted that, in 2015 and 2016, it had reduced the sugar content in nine beverages and would reduce the sugar content of 19 products between 2016 and 2017 (Coca-Cola Amatil 2017a). In 2018, the company stated that it had reduced the sugar in 22 beverages (Coca-Cola Journey 2018d). Coca-Cola Australia also developed infographics to show its company's reformulation progress (Figure 16).

Figure 16: Coca-Cola Australia reformulation infographic (Coca-Cola Journey 2018d)



Coca-Cola Australia also shifted its discourse around how it envisioned the role of its company in shaping consumer behaviour. In its 2017 investor presentation, Coca-Cola Australia referred to its stealth reformulation strategy as “shaping choice” (Coca-Cola Amatil 2017a). While Coca-Cola Australia had already undertaken some reformulation activities that “shaped” consumer choices by replacing the original version, this was the first time that this strategy was codified in a sustainability report.

These three phases illustrate the evolution of Coca-Cola Australia’s approach to and communication of its reformulation initiatives. In the following section, I examine three reformulation strategies that Coca-Cola Australia used and the different ways that it promoted these beverages to public health stakeholders, investors and consumers.

## Strategies to reformulate soft drinks

### *Smaller “portion sizes”*

One reformulation strategy was the (re)introduction<sup>29</sup> of smaller “portion sizes” or “serving sizes.” Coca-Cola Australia’s narrative that smaller packages were part of the solution to obesity began in 2006 with its first sustainability report. Each successive sustainability report (as well as its 2017 *Sugar Reductions* report) portrayed the development and increasing availability of smaller packages as part of the solution to obesity (Table 12).

Table 12: Coca-Cola Australia’s smaller “portion size” reformulations

| YEAR | PRODUCT LAUNCHES AND AVAILABILITY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2006 | Launch 300mL can, 250mL bottle, 250mL can grocery snack pack of Coke trademark beverages                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 2008 | Launch “smallest ever mainstream portion size, the 200 ml can of Coca-Cola, containing just 360 kilojoules”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 2010 | “The ‘mini-cans’ have been hugely successful, with more than 30 million cans sold in 2008 and 2009”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 2011 | Providing smaller portion packaging sizes in beverages...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2013 | “Increasing the availability of smaller portion sizes – our smaller packs (less than 250ml) are available in 80% of supermarkets”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2015 | <p>“More choices of smaller serving options”</p> <p>“Downsized 450mL PET to 390mL PET for Coca-Cola Trademark (TM) brands in Australia, reducing energy per serve by an average of 13% in select channels”</p> <p>“Shift 385mL glass to 330mL glass for Coca-Cola™ brands”</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 2016 | <p>“building availability of smaller pack sizes”</p> <p>“Since the launch of our 250mL PET bottle in July 2016, small packs are now offered in 86 per cent of grocery stores and in 69 per cent of convenience stores and petrol stations”</p> <p>“Improve availability, visibility and affordability of portion-controlled small serves”</p>                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 2017 | <p>“We’re committed to providing consumers with more choice by providing a range of smaller packs and more convenient sizes across our portfolio. And importantly, making sure we increase the availability of these small packs in more locations”</p> <p>“Between 2013 and 2016 sales of small packs grew by 75%”</p> <p>“Since the launch of the 250 mL bottle, small packs are now offered in 95% of grocery stores”</p> <p>“Approximately half of all stockists of 450mL now stock 390mL instead”</p> <p>“What we’ll do next:”</p> <ul style="list-style-type: none"> <li>- Target of 95% of convenience and petrol stations to offer small packs by 2020</li> <li>- Target of more than 80% of vending machines to have small pack capacity by 2020</li> </ul> |

Data sourced from: Coca-Cola Australia’s Sustainability Reports (Coca-Cola Amatil 2006b, 2008b, 2010b, 2011b, 2013, 2015c, 2016) and *Sugar Reductions* report (Coca-Cola Amatil 2017b).

<sup>29</sup> Soft drinks were historically sold in 8 ounce bottles in the United States.

Analysis of Coca-Cola Australia's consumer-facing and business-facing communications revealed two different narratives explaining the company's development of smaller "portion sizes." The company's consumer-facing website, managed by Coca-Cola South Pacific (the regional marketing arm of The Coca-Cola Company), framed these products as a key component of the company's commitment to be part of the solution to obesity. Indeed, when Coca-Cola Australia launched its *Coming Together* campaign that outlined the company's commitments to be part of the solution to obesity, its first commitment was "increasing the availability of our smaller portion sizes" (Coca-Cola Journey 2013a). Similarly, in its policy submissions to the National Preventative Health Taskforce and the Food Labelling Law and Policy Review, Coca-Cola Australia referred to the availability of "more serving size options" as evidence of its commitment to "provide constructive, effective and sustainable long term solutions to address obesity" and "allow consumers greater choice" (Coca-Cola South Pacific 2008, 2010).

In contrast, Coca-Cola Australia's business-facing communications presented smaller portions as a business strategy. In its 2015 Interim Result presentation, for example, Coca-Cola Australia described the launch of "smaller pack formats" as part of its business strategy of "increasing relevance, stabilising transactions and re-engaging consumers" (Coca-Cola Amatil 2015a). In its 2015 Annual General Meeting, the company elaborated on this strategy:

*To address the decline in single serve carbonated beverage transactions, we introduced a smaller can—a 250mL can—at an attractive price and backed it up with the highly-visible "colour your summer" campaign.... Colours and portion size may seem like a simple thing, but it's led to an increase in the number of consumers coming back into the franchise, with an improvement in particular in teen consumers who have drunk a Coke in the past four weeks (Coca-Cola Amatil 2015b, p. 5).*

Coca-Cola Australia did not provide statistics on the percent of revenue generated from the smaller cans; however, its business presentations noted the growing sales of the smaller cans from 30.9 million cans in 2008 to 85 million in 2013 (Coca-Cola Amatil 2010b, 2014a). These figures point to the business incentives to develop smaller "portion sizes."

Analysis of The Coca-Cola Company's (TCCC) investor presentations offer further insights into the company's motivations for promoting smaller "portion sizes." During a 2015 Morgan Stanley conference, the president of Coca-Cola North America specifically addressed the question of decline in the

carbonated soft drinks category, noting that the category only appeared in decline when volume was measured, not packages (The Coca-Cola Company 2015a, 2015b). The president noted that the company was increasingly investing in smaller “transaction beverages,” which had out-performed the “core beverages” (12oz and 2L) for the past five years in in terms of value. Unlike core beverages, smaller portioned products were “re-recruiting” upper-income consumers, especially mothers—a strategy referred to as “selling Cokes as opposed to Coke.” While I found that Coca-Cola Australia promoted smaller “portion sizes” as a public health initiative, the company also framed them as financially lucrative in its business-facing communications.

### *“Artificial” sweeteners*

A second reformulation strategy was the substitution of artificial sweeteners for the sugars in soft drinks. Like its smaller “portion sizes,” Coca-Cola Australia framed artificially sweetened soft drinks as part of the solution to obesity in its sustainability reports and its 2017 *Sugar Reductions* report (Table 13).

*Table 13: Artificial sweetener reformulations*

| YEAR | PRODUCT LAUNCHES AND AVAILABILITY                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2006 | <p>“Australian and New Zealand sales of Coca-Cola with no sugar (diet Coke and Coca-Cola Zero) reached 34% of total cola volume.”</p> <p>“Diet Coke and Coca-Cola Zero, both sugar-free, now represent 34% of Coke volume, up from only 20% in 2000.”</p> <p>“The shift in the product portfolio to lower kilojoule beverages has resulted in a 13.9% drop in kilojoule consumption per capita in the Australian market.”</p>                                                                               |
| 2008 | <p>“Provided a non-sugar alternative for every sparkling beverage with sugar”</p> <p>“We have further expanded our range of sugar-free, low-kilojoule and nutritious and functional options, including Kirks Sugar-Free, Coca-Cola Zero, Sprite Zero, diet Lift and Fanta Zero...”</p> <p>“Nestea Iced Tea was reformulated in mid-2008 with 20 per cent less sugar”</p>                                                                                                                                    |
| 2010 | <p>“Provided a non-sugar alternative for every sparkling beverage with sugar”</p> <p>“Diet beverages and water represented 34% of our volume sales in 2009 compared with 25% in 2005”</p>                                                                                                                                                                                                                                                                                                                   |
| 2011 | <p>“Introduced two more low kilojoule options – GLACEAU vitaminwater low calorie and Mother Low Carb”</p> <p>“Since 2003, achieved 10.8% reduction in average calories/100ml of CCA beverages sold”</p> <p>“Since 2003 increased per capita consumption of spring water and diet sparkling beverages by 20%”</p>                                                                                                                                                                                            |
| 2013 | <p>“Offering more low kilojoule beverage options – continuing to develop low kilojoule alternatives in Australia for our beverage range and continuing to work with food scientists and nutritionists on innovative ingredients including all natural, low kilojoule sweeteners”</p> <p>“Coca-Cola Zero and diet Coke represent almost 33% of total Coca-Cola volumes in Australia”</p> <p>“In 2012 low and no-kilojoule beverages grew at more than 2.5 times the rate of regular kilojoule beverages”</p> |
| 2015 | <p>“Launch of Coca-Cola Life in Australia and New Zealand in 2015”</p> <p>“Availability of a low- or no-kilojoule option for all of our top selling sparkling beverages by the end of 2015 including Coca-Cola, Fanta Orange and Sprite in all markets”</p> <p>“We have made a significant investment in our portfolio in recent years to reformulate some of our most popular brands and give consumers greater choice”</p>                                                                                |

|             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2016</b> | <p>“...continue to implement The Coca-Cola Company’s systematic reformulation plan for many of our non-alcoholic beverages, progressively reducing kilojoules over time...”</p> <p>“Reformulated all of our Deep Spring flavours range, reducing more than a quarter of the sugar content</p> <p>“Reduced sugar and kilojoule content of Sprite by 14%”</p> <p>“LIFT now has 23% less sugar and 21% less kilojoules”</p> <p>“Launched new low- and no-kilojoule products including FUZE Tea and Glaceau smartwaterR as well as 250mL PET bottles for Coca-Cola TM brands in Australia”</p> <p>“34% of volume (in litres) of our Australian Beverages products comprises of either low- or no kilojoule varieties”</p> |
| <b>2017</b> | <p>Coca-Cola No Sugar “plays a key role in achieving our sugar reduction target as our insights found that a sizable proportion of consumers are looking for a new, great tasting no sugar Coca-Cola alternative”</p> <p>“Aim: to actively encourage more Australians to choose a no-sugar Coca-Cola”</p> <p>“1.3% increase in mix of no or low sugar [Coca-Cola brand drinks] just eight weeks after Coca-Cola No Sugar launched”</p> <p>“Today our portfolio consists of more than 180 products and 25 brands with ALL top sellers [Coca-Cola, Sprite, Fanta, Powerade and Mother] now offering a no sugar alternative”</p>                                                                                         |

Data sourced from: Coca-Cola Australia’s Sustainability Reports (Coca-Cola Amatil 2006b, 2008b, 2010b, 2011b, 2013, 2015c, 2016) and *Sugar Reductions* report (Coca-Cola Amatil 2017b).

Similar to its communications about smaller “portion sizes,” Coca-Cola Australia also promoted different narratives about the health and financial benefits of artificially sweetened soft drinks. More so than it did with its smaller “portion sizes,” Coca-Cola Australia emphasised the importance of personal responsibility in its communications about the health benefits of diet soft drinks. In its 2012 report on low-kilojoule sweeteners, for example, the company noted that the efficacy of diet beverages was constrained by consumer behaviour:

*“The bottom line on whether low- and no-kilojoule sweeteners are beneficial in weight management comes down to how people choose to use them. ...they clearly will not prevent weight gain among individuals who use them to rationalise overconsumption of high-kilojoule foods and beverages, or make little effort otherwise to keep their calorie intake on track” (Coca-Cola Journey 2012a).*

Implicit in the above statement was the notion of consumer choice and responsibility, a theme that permeated the company’s communications about its reformulated beverages:

*Low- and no-kilojoule sweeteners help make reduced-kilojoule diets more palatable, which can help with compliance and long-term weight maintenance (Coca-Cola Journey 2012a).*

*Choice and information is at the heart of our business. If people want great taste without sugar and kilojoules, we have the drinks to meet that need (Coca-Cola Journey 2017b).*

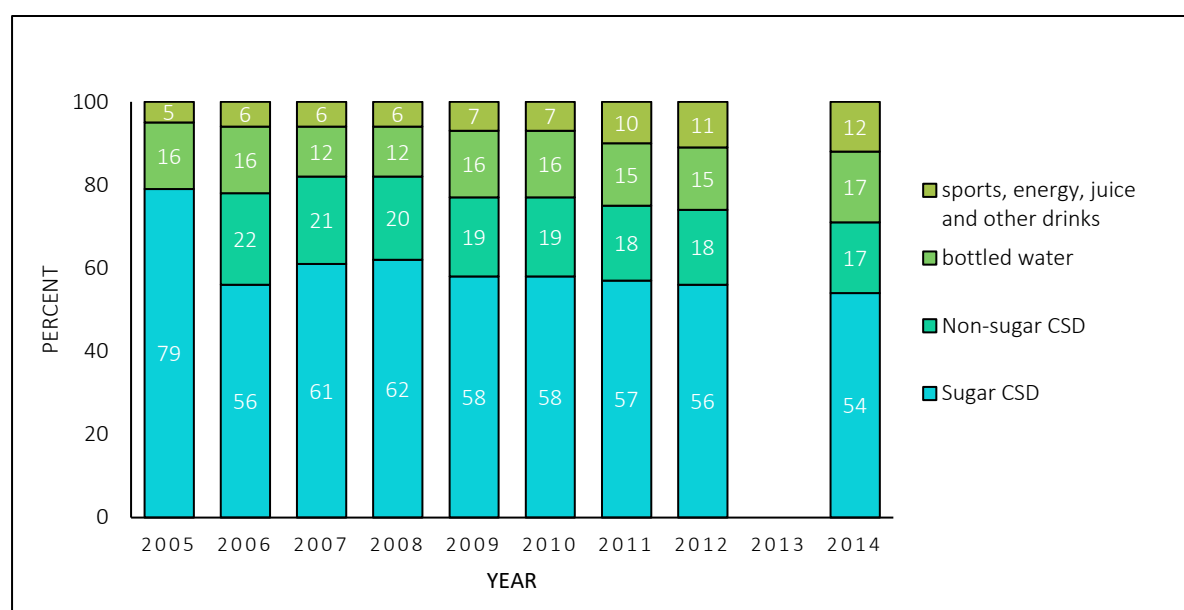
This notion of consumer responsibility fit with Coca-Cola Australia’s first and second phases of reformulation strategies (offer variety and dilute the portfolio), which focused on expanding the low-sugar choices available to consumers; this narrative was less relevant for its stealth sugar reformulation initiatives, an idea I will elaborate on further in the discussion.

Coca-Cola Australia was often explicit about its “win-win” rhetoric that promoted both the business and public health benefits of diet soft drinks. This was epitomised in Coca-Cola Australia’s analysis of the launch of Coke Zero:

*The Australian and New Zealand launch of sugar-free Coca-Cola Zero was an unprecedented success, on the one hand igniting the soft drink market and delivering value to our shareholders, and on the other hand, helping consumers choose, if they wish, a lower kilojoule beverage (Coca-Cola Amatil 2006b).*

While Coca-Cola Australia frequently presented artificially sweetened soft drinks as part of the solution to obesity, the extent to which these products are viable long-term remains unclear. Factbooks released by the company between 2005 and 2015 showed that both sugar-sweetened and non-sugar carbonated soft drinks (CSDs) constituted a declining percentage of the company’s beverage portfolio (Figure 17).<sup>30</sup>

Figure 17: Changes in Coca-Cola Amatil category volumes 2005-2014



Data for Figure 17 was sourced from Coca-Cola Amatil Factbooks (2005b, 2006a, 2007, 2008a, 2009, 2010a, 2011a, 2012, 2014c).

As discussed in the background to this chapter, in the United States, consumers are turning away from diet soft drinks because they are concerned about artificial sweeteners. In response to declining sales of artificially sweetened soft drinks, Coca-Cola Australia has developed new sweeteners that tap into consumer values of naturalness. In the following section, I analyse how Coca-Cola Australia presented

<sup>30</sup> Data for 2013 was unavailable. Data for 2005 did not differentiate between sugar and non-sugar CSDs.

stevia-sweetened soft drinks as a solution to both public health concerns about sugar and consumer concerns about artificial sweeteners.

### *Stevia sweeteners*

A third reformulation strategy was the substitution of stevia sweeteners for some of the sugars in soft drinks. Stevia sweeteners are derived from the stevia plant.<sup>31</sup> Native to Paraguay, indigenous cultures have historically used the leaves of stevia plants as a sweetener (Coca-Cola Journey 2015a, 2015e). In 2008, stevia sweeteners received regulatory approval as a food additive in Australia (Coca-Cola Journey 2015a). Like its reformulation strategies of smaller “portion sizes” and “artificial” sweeteners, Coca-Cola Australia portrayed stevia sweeteners as a response to market and health concerns. However, in addition to depicting them as part of the company’s response to obesity, Coca-Cola Australia also presented stevia sweeteners as a response to consumer concerns about artificial sweeteners:

*We know that artificiality and taste are preventing the more health conscious consumers from migrating from full sugar to diet Cola and that sugar is stated as the primary reason for reduced Coca-Cola consumption among consumers” (Coca-Cola Amatil 2015b, p. 6).*

On its website, Coca-Cola Australia portrayed stevia sweeteners as natural and traditional. The company explained that the sweetener was derived from the leaf of the stevia plant, a member of the chrysanthemum family (Coca-Cola Journey 2015e). Coca-Cola Australia used images of stevia leaves and stevia plants growing in the field to associate the sweetener with its plant origins (Figure 18). In its description of the sweeteners it used in its beverages, Coca-Cola Australia provided a photo only for the sweetener stevia (Image 2 in Figure 18) and not for other sweeteners (Coca-Cola Journey 2015h).

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<sup>31</sup> Some stevia sweeteners are also derived via the fermentation of sugar alcohols (Michail 2015b).

Figure 18: Coca-Cola Australia's representation of stevia sweeteners

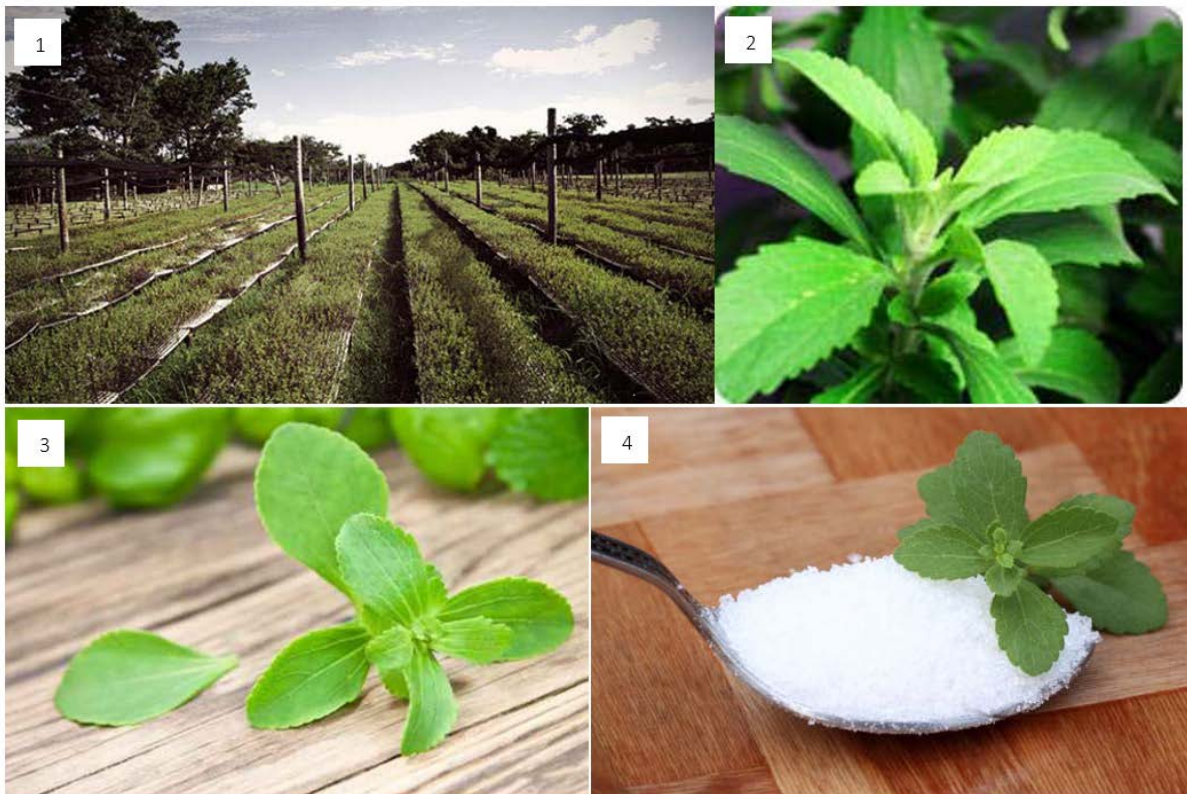


Image 1: (Coca-Cola Journey 2015b); Image 2: (Coca-Cola Journey 2015h); Image 3: (Coca-Cola Journey 2015c); Image 4: (Coca-Cola Journey 2015i).

Coca-Cola Australia also developed an infographic of how stevia is grown and processed into sweetener, featuring an image of a stevia plant growing in the ground (Coca-Cola Journey 2017a). In its description of stevia sweetener production, Coca-Cola Australia likened the extraction process to making tea:

*In a process similar to steeping tea, the dried stevia leaves are soaked in water to unlock the best-tasting, sweet substance found in the leaf, which is then purified. Many other natural ingredients are commonly extracted in the same manner, including vanilla, almond, spearmint, pistachio and cinnamon (Coca-Cola Journey 2015h).*

In addition to underscoring the plant origins of stevia, across its communications Coca-Cola Australia emphasised the traditional origins of the sweetener, noting for example that the plant and its sweetener properties were discovered “centuries ago” by indigenous cultures in South America (Coca-Cola Journey 2017a). Coca-Cola Australia’s marketing of the traditional aspects of stevia sweeteners reiterated its origins in the Amazonian jungle as well as its long history of use:

*Apart from garden centres, it grows in the Amazon jungle on the border of Paraguay and Brazil, in South America, and in other parts of the world including Asia and Africa. The locals eat it raw or*

*make a tea, or in their cooking. Sweeteners made from stevia leaves have a long history of use around the world including Paraguay and Japan (Coca-Cola Journey 2015b).*

*The stevia plant from the chrysanthemum family is native to Paraguay and has been used in South America for hundreds of years. Its leaf is a unique source of intense, natural sweetness (Coca-Cola Journey 2015i).*

In its online marketing materials, Coca-Cola Australia endeavoured to portray stevia sweeteners as more natural and traditional than other artificial sweeteners. In practice, the taste profile of stevia sweeteners presented challenges for its use as a sugar substitute, an issue that Coca-Cola Australia alluded to in one of its articles on stevia:

*Several products contain stevia, but usually it comes in combination with some sugars...you need a sugar-stevia blend to achieve the best sweet taste profile, and these products may still have some kilojoules (Coca-Cola Journey 2015a).*

Progressive sugar reductions in two of Coca-Cola's soft drinks sweetened with stevia (Coca-Cola Life and Coca-Cola with Stevia) showed the evolution of sweetener technology and the compromises needed to ensure an acceptable taste profile. In 2015, Coca-Cola Australia launched a Coca-Cola brand extension, Coca-Cola Life (Coca-Cola Journey 2015e). Sweetened with a combination of stevia sweetener and sugarcane, the green-packaged soft drink began as a "mid-calorie" beverage with a 35 percent reduction in sugar content. Despite the enormous marketing campaign behind Coke Life, it was quietly dropped from Australian circulation in 2017 and replaced with "Coca-Cola with Stevia," which had a 50 percent sugar reduction (Coca-Cola Journey 2017d). Coca-Cola Australia also used stevia sweeteners in several of its "stealth" sugar reformulations shown in Figure 16. Over time, technological developments have improved the taste profile of stevia sweeteners and enabled greater sugar reductions; however, these technological improvements present challenges for the natural marketing of stevia sweeteners. I will elaborate on this issue in the discussion.

In the above four sections, I have analysed the shifts in Coca-Cola Australia's overarching reformulation commitments as well as three manifestations of its strategies to reduce the sugar content of its soft drink portfolio. In the following discussion, I highlight some of the key findings from my results and elaborate on how and why the Australian soft drink industry is pursuing these different reformulation strategies. I

will also discuss the role of corporate power relations in the soft drink industry's product reformulation initiatives.

## Discussion

The three phases of reformulation that I identified and analysed in this chapter (*offering variety*, *diluting the portfolio* and *stealth sugar reformulation*), reveal not only the material changes to Coca-Cola Australia's portfolio, but also the discursive changes to how the company positioned product reformulation as part of the solution to obesity. It was the emergence of Coca-Cola Australia's corporate health promotion rhetoric that marked the first phase of anti-obesity reformulation—*offering variety*—rather than any significant changes to its product portfolio. The soft drink industry had developed reduced sugar beverages since the 1950s, but Coca-Cola Australia's decision in 2003 to reposition this business strategy as part of the solution to obesity marked a new phase of soft drink reformulation. A similar rhetorical transition took place in the United States at this time, as food manufacturers began to portray reformulation as part of the solution to obesity. The period from 2001 to 2005 marked the ascent of health-focused reformulation pledges from the American food industry, with both Kraft and McDonalds proposing reformulation as part of the companies' strategies to respond to obesity in 2003 (Scott & Nixon 2017).

The repackaging of business growth as a public health achievement is exemplified in the second phase of anti-obesity reformulation—*diluting the portfolio*—which portrays increased sales of reduced sugar beverages as a public health accomplishment. This approach is seen in other soft drink industry pledges, such as the Australian Beverages Council's *Commitment*, which similarly pledged to monitor the increase in the "choice and availability" of smaller portions and new low-calorie soft drinks as a metric of success (I will discuss this *Commitment* in more detail in Chapter 6) (Australian Beverages Council 2006c). What these metrics fail to capture is whether existing consumers are transitioning from full-sugar products or if new consumers are purchasing reduced sugar beverages. In the case of smaller portion sizes, Coca-Cola Australia's enthusiasm about its capacity to "recruit" consumers indicates that the latter may be more likely. Rather than reduce the sugar content in existing, high sugar beverages, this approach creates alternatives for consumers—reinforcing the soft drink industry's message of personal responsibility

(Scrinis 2016; Simon 2006; van Raaij, Hendriksen & Verhagen 2009). This highlights a key limitation of the “win-win” rhetoric associated with reformulation: the business incentives for reformulation hinge on increasing profits or market share, both of which are more easily achieved through the innovation of new beverage alternatives than through the reformulation of existing products.

Coca-Cola Australia’s third and current phase of anti-obesity reformulation—*stealth sugar reformulation*—deviates from the first two phases in that, rather than create new alternatives for consumers, it aims to reduce the sugar content of existing, high-sugar beverages. This move towards a more systematic reduction of nutrients of public health concern across food industry portfolios has been previously documented for salt and trans-fats (Downs, Thow & Leeder 2013; Traill et al. 2012; Unnevehr & Jagmanaitė 2008; Webster 2009; Webster et al. 2014). While public health organisations have proposed similar strategies to gradually reduce sugars in the food supply, systematic monitoring and analysis of whether or where this is happening is only beginning to emerge (Gibson et al. 2017; Hashem, He & MacGregor 2016; Public Health England 2015). A recent Australian report found that some food manufacturers (including Coca-Cola Australia) had set Australia-specific “clear, time-bound reformulation targets” for sodium, added sugars, saturated fat and/or kilojoule content across their portfolios, whereas others had only internal targets or no targets at all (Sacks & Robinson 2018). My case study complements this research and illustrates some of the ways that Coca-Cola Australia has recently pursued a more systematic reduction of sugar and calories in its portfolio. Moreover, my case study shows that, while Coca-Cola Australia has recently pledged to implement systematic reformulation across its portfolio, thus far the company has only reformulated a small number of products. Instead, I found that the company’s dominant approach to reformulation has been and continues to be the development of new, low- or no-sugar beverages. This approach to reformulation (the development of new products as opposed to the reformulation of existing products) underpins reformulation initiatives across the world (Nestle 2013; Ng, Slining & Popkin 2014; Panjwani & Caraher 2014; Webster 2009). Public health scholars highlight the inconsistent application of systematic reformulation in the food industry as a key justification for the development of mandatory reformulation targets (Traill et al. 2012).

Unlike Coca-Cola Australia's initial reformulation strategies that focused on innovation, I found that its gradual sugar reductions were not framed in terms of increased sales or business growth. The absence of business rhetoric in discussion of its initiatives to gradually reduce sugar suggests that "stealth" reformulation may not address the same business interests as innovation does. Consistent with the food industry's "stealth" reduction of salt in food products, Coca-Cola Australia's gradual sugar reductions are characterised by the absence of campaign launches or overt marketing of the changes to consumers (Webster 2009). One rationale for "stealth" reformulation is that by not advertising the product changes to consumers, manufacturers can avoid backlash from consumers who dislike the new product (Combet et al. 2014; Savio et al. 2013; Traill et al. 2012). However, "stealth" reformulation does not offer a competitive advantage to companies (Webster 2009). Previous research of food industry framing of product reformulation in the United States found that business interests dominate the rationales for reformulation (Scott & Nixon 2017). However, Scott and Nixon's (2017) study did not differentiate between corporate communications about its advertised and unadvertised reformulation initiatives (i.e. its development of new beverages or its "stealth" reformulation of existing beverages). My case study finds that while the soft drink industry has translated the public health strategy of reformulation into a business strategy, it does this by focusing on the innovation side of sugar reductions, not the reformulation side. In contrast, the food industry's transition to a more gradual and systematic approach to reformulation may limit the extent to which reformulation remains a profitable "win-win" strategy for public health and the food industry.

While Coca-Cola Australia frames its "stealth" sugar reformulations as a transition to "shaping choice," this rhetoric obscures the role that the company already plays in shaping the food environment and influencing consumer "choices." Coca-Cola Australia, like other multinational food industry corporations, plays a key role in shaping food environments and the food "choices" available to consumers through its marketing, product placement, pricing and other strategies (Igumbor et al. 2012; Kaldor 2018; Lang & Heasman 2004b; Stuckler et al. 2012). In its reports, Coca-Cola Australia states that "stealth" reformulation is a new strategy for its company. However, soft drink manufacturers have always modified and altered their beverage recipes in response to various business, political and consumer pressures—see for example De la Peña (2010) and Elmore (2015). Further, comparisons of soft drink brands between

countries reveal significant variation in their sugar content, indicating that companies are willing to adjust recipes to appeal to local tastes (Action on Sugar 2015; Varsamis et al. 2017). This illustrates the structural power of the soft drink industry and its capacity to influence and shape the food and beverage landscape. We can observe that Coca-Cola Australia takes advantage of its position in the food system as a manufacturer to alter the food landscape by innovating and reformulating the beverages available to consumers. Coca-Cola Australia's promotion of voluntary "stealth" sugar reformulation also points to some of the logical shortcomings of the packaged food and beverage industry's opposition to "nanny state" government regulation (Dorfman, Wallack & Woodruff 2005; Henderson et al. 2009; Lawrence 2004; Nestle 2015b; Simon 2006). While the food industry argues that setting mandatory nutrient levels restricts "consumer freedoms," in practice, both industry-led and government-led reformulation efforts restrict consumer "choices" (Kaldor 2018). The key difference is which stakeholder controls the process. Coca-Cola Australia's voluntary shift in its reformulation strategies from offering variety to gradually reducing sugar (or from "offering choice" to "shaping choice" according to the company) illustrates how the food industry's opposition is not to systematic reformulation initiatives, but to government-led reformulation initiatives.

What is novel about Coca-Cola Australia's newest strategy to quietly reduce sugar (so-called "shaping choice") is that it is (in principle if not in practice) in alignment with public health and government objectives. Several governments and health organisations have proposed the use of systematic and incremental reductions in the sugar content of foods and beverages (Gibson et al. 2017; Luger et al. 2018; Public Health England 2015). The health group Action on Sugar in the UK has proposed that food and beverage manufacturers set sugar reduction targets to gradually reduce the level of sugar in products, modelled on successful salt reductions achieved with a similar policy (Action on Sugar 2015). Although Coca-Cola Australia has pledged to systematically reduce sugar across its portfolio, this pledge has yet to be met with similar progress in practice (Sacks & Robinson 2018). As noted in the background to the chapter, the gap between industry pledges and practice is a key limitation of voluntary approaches to product reformulation (Elliott et al. 2014; Reeve & Magnusson 2015; Scrinis & Monteiro 2018; van Raaij, Hendriksen & Verhagen 2009). Despite the gap between principle and practice, Coca-Cola Australia's gradual shift to "stealth" reformulation aligns more closely with public health objectives than its earlier

pledge to “offer variety.” This discursive alignment may serve to legitimise its voluntary corporate product reformulation initiatives as a solution to obesity, especially if the company continues to publish flattering reports of its progress. Corporate legitimacy is important to secure public support for industry initiatives, especially its voluntary “rule-making” initiatives that provide alternatives to government interventions (a strategy I will explore in more depth in Chapter 6) (Fuchs 2007).

Coca-Cola Australia’s decision to gradually reformulate some products can be understood in the context of emerging regulatory threats facing the soft drink industry. While public health researchers are only beginning to analyse how this new phase of systematic sugar reduction is playing out in different companies, industries and countries, analysis of salt reduction initiatives show that health campaigns and the threat of regulation played a key role in driving voluntary reformulation actions (Gibson et al. 2017; van Raaij, Hendriksen & Verhagen 2009; Webster et al. 2014). In the case of the soft drink industry, the emergence and spread of taxes internationally has necessitated the acceleration of its sugar reduction initiatives. The threat of taxes helps to explain particularly rapid levels of reformulation, such as those seen in the UK soft drink industry in the lead up to the 2018 sugar levy (Martyn-Hemphill 2018). While there is not yet a strong push for a tax on sugary drinks in Australia, the soft drink industry does face some regulatory threats, as sugary drinks have been removed from some hospitals and school canteens (Commonwealth of Australia 2014; Han 2018a; Moretto et al. 2014; Morley et al. 2012). Considering the current regulatory context, I argue that we can understand “stealth” reformulation as less of a business growth strategy and more of a strategy to rapidly de-risk soft drink industry portfolios. Sugary drinks increasingly present a business risk of financial repercussions from reduced demand and profits (Credit Suisse 2013; Morgan Stanley 2015; Oxford Economics and International Tax and Investment Centre 2013). Here too, we can see that the soft drink industry faces greater pressure than other food sectors, as other food products have not yet been targeted for taxation in the same way as sugary drinks (Hagenaars, Jeurissen & Klazinga 2017; Smith et al. 2018).

The same characteristics that have led soft drinks to be targeted for regulation (they are predominately sugar and water) presents unique opportunities and constraints for reformulation. Unlike other food products, soft drinks contain predominantly one nutrient of public health concern: sugar. The existence

of sweeteners enables the soft drink industry to completely substitute all the sugar in its beverages and create a zero-calorie product. However, the physical make-up of soft drinks also limits their reformulation options, as pressure exists mainly for reducing “negative” nutrients, not adding “beneficial” nutrients (Scrinis & Monteiro 2018). In some ways, this is due to the perception of soft drinks as the ultimate junk food—efforts to offset the sugar in soft drinks with beneficial ingredients (such as Coca-Cola Plus in Japan with soluble fibre) have been met with censure and ridicule (Freedhoff 2017). Consumer backlash against “artificial” sweeteners for their unnatural and chemical characteristics also complicates the soft drink industry’s reformulation strategy, essentially adding sweeteners to the category of “negative” nutrients and ingredients to limit (Borges et al. 2017; Scrinis & Monteiro 2018). The co-existence of a consumer backlash against artificial sweeteners with public health policies to reduce sugar consumption forces the soft drink industry to negotiate an increasingly complex and fragmented beverage market. In this space, reformulation initiatives that do not rely on sweeteners (such as smaller portions and reduced sweetness) could help the soft drink industry circumvent consumer concerns about artificial sweeteners. Nevertheless, without sweeteners, the soft drink industry, more so than other food sectors, is far more restricted in its reformulation strategies.

The soft drink industry has attempted to transcend the debate about whether consumers should prioritise calorie reduction or “artificial” sweetener avoidance via the use of stevia sweeteners. Coca-Cola Australia markets stevia sweeteners as a more natural alternative, highlighting the indigenous and plant origins of the sweetener, a strategy also used by Cargill in its launch of stevia sweetener Truvia (Chesterton & Yang 2016). The sweetener’s plant origins, while facilitating its natural marketing, simultaneously present technical challenges: the leaves have a bitter, liquorice-like after taste, which often persists in the sweetener (Engber 2014; Scrinis 2013). As shown in this chapter, Coca-Cola Australia addressed this by replacing only a portion of the sugar in its beverages with stevia sweeteners, but this compromise led to criticisms from public health advocates that the sugar reductions were insufficient (Han 2015). Attempts to improve the taste profile of stevia via sophisticated breeding and processing techniques have further distanced the sweetener from its plant origins, transforming the sweetener into a uniform, mass produced commodity (Chesterton & Yang 2016). Recently, Cargill has used fermentation technology to develop a stevia sweetener that could achieve a 100 percent sugar reduction (Michail 2016). The technology does

not require the use of stevia leaves, and some stevia manufacturers have questioned whether this will tarnish the “natural reputation” of stevia (Michail 2015a, 2015b).

Despite these technological interventions, Coca-Cola Australia continues to market the sweetener as natural, illustrating the malleability of this concept and the ease with which the food industry can appropriate it for marketing purposes (Belasco 2007; Heiss 2015; Scrinis 2013). For example, Coca-Cola Australia’s explanation of stevia’s extraction process deliberately simplifies the complex processing that stevia plants undergo to become commercial sweeteners. The persistence of stevia’s natural marketing despite an emerging suspicion around the legitimacy of these claims suggests that, like other “naturally marketed” foods, marketing budgets may compensate for the less “natural” characteristics of foods (Belasco 2007; Dobrow 2014; Scrinis 2013). While stevia’s plant origins are a point of departure in the history of artificial sweetener marketing, its uptake by the food industry has blurred the boundaries between it and other “artificial” sweeteners. Like aspartame and sucralose before it, stevia is marketed as more natural than other sweeteners on the market (De la Peña 2010). Further, the processing, patenting, regulatory approvals and corporate ownership of stevia align it more closely with the industrial food system than indigenous and alternative food ways (Belasco 2007; Chesterton & Yang 2016; Nabors & Gelardi 2001; Thomas 2012). The processes through which the stevia plant has been transformed from an indigenous food into a global commodity illustrate the significant disparity between Coca-Cola’s natural marketing claims and the production methods necessitated by an industrial food system.

Lastly, we can understand soft drink reformulation strategies, whether involving stevia, aspartame, smaller portions or reduced sweetness, as all serving the same political purpose: to enable the continued consumption of the soft drink industry’s branded products. The soft drink industry supports this claim discursively, framing reduced sugar soft drinks as part of the solution to obesity. The food industry also uses this discursive frame, with companies promoting “simple swaps” to “better-for-you” alternatives in lieu of reduced consumption of branded, processed foods (Herrick 2009). This is the crux of the win-win premise of reformulation. Reformulation allows the food industry to continue to sell its (allegedly) healthier products and, because reformulation can be achieved at a population level, it eliminates the need for more challenging behaviour change programs (Public Health England 2015). As discussed in the

background of this chapter, concerns are raised about whether legitimising the continued consumption of branded, processed (often ultra-processed) foods is a desirable public health pursuit (Monteiro & Cannon 2012; Scrinis 2016; Scrinis & Monteiro 2018).

Voluntary reformulation initiatives can create policy alternatives, which can lead governments to halt plans for more effective regulations (Baker 2017; Mialon, Swinburn & Sacks 2015). Specifically, reformulation eliminates the need for nutrition policies designed to reduce consumption of soft drinks. In Lithuania, for example, the government halted its plan to tax sugary drinks following a voluntary commitment from the soft drink industry to reduce the sugar in its portfolio (Michail 2018). I will elaborate on this strategy of policy pre-emption in Chapter 6. Voluntary reformulation may impart a health halo on the product or company, which may facilitate industry participation in health and nutrition policies (Chandon & Wansink 2007; Clapp & Scrinis 2017; Kaldor 2018). Where product reformulation leads to increased sales, we can observe that this corporate health promotion strategy can amplify corporate market resources, which facilitate political power and influence. Sales from reformulated soft drinks facilitate marketing campaigns (an exercise of discursive power to the extent that it shapes consumer or policy maker views about obesity, as seen in Chapter 4) or lobbying (an exercise of instrumental power that I will elaborate on in Chapter 6).

## Conclusion

This chapter examined how the soft drink industry explains and rationalises its reformulation strategies. Using a case study of Coca-Cola Australia, I examined the company's reformulation commitments and three different strategies to reduce the sugar content of soft drinks in Australia. An overarching finding of this chapter is that, while positioned as a public health response, reformulation is strongly underpinned by business and political incentives. By commodifying different "dietary aspirations," the soft drink industry can grow its business and amplify its corporate power.

By focusing on one company's strategy in one country, this case study explored how the soft drink industry's approach to reformulation has evolved in response to different pressures. I found that two dynamics external to the industry have complicated its reformulation initiatives. The soft drink industry is

negotiating an uncertain political landscape of increased government willingness to regulate its industry. Further, consumer rejection of “artificial” sweeteners challenges the soft drink industry’s dominant approach to reduce the sugar in its beverages. By highlighting the political and economic dimensions of reformulation, this chapter contributes to a growing body of scholarship investigating how the food industry uses reformulation as a political strategy. In the following chapter, I consider how the Australian soft drink industry has codified reformulation and other corporate health promotion activities in self-regulatory commitments and presented them to policy makers as a substitute for government regulation.



## 6. Corporate self-regulation

### A political strategy to pre-empt regulation

*Q: What, specifically, is PepsiCo doing to address regulatory pressures relating to health concerns across the globe?*

*A: On the regulatory and policy side, we're firm believers in engaging a range of public and private experts to come to workable solutions...We're actively engaged with policy and thought leaders....PepsiCo's work in the United States with the Clinton Foundation, the American Heart Association and the beverage industry, are examples of working proactively to set policies that put the right kinds of products in the right locations — in this case, schools. We're working in our international markets in much the same way.*

—PepsiCo (Global) Annual Report (2006)

*When industry is involved in policy-making, rest assured that the most effective control measures will be downplayed or left out entirely.*

—Dr Margaret Chan, Former Director-General of the WHO (2013)

## Introduction

This chapter addresses the third research sub-question of this thesis:

### **RQ3. How and why does the Australian soft drink industry develop and promote self-regulation to influence its political environment?**

Corporate self-regulation is a key component of the soft drink industry's political strategy to position itself as "part of the solution" to obesity. The soft drink industry's self-regulation manifests as national and global commitments codifying its corporate social responsibility pledges concerning obesity. These include company-level commitments, such as Coca-Cola's 2003 *Model Guidelines for School Beverage Partnerships* (BevNet 2003; Solomon 2010) and industry-level commitments, such as the International Council of Beverage Associations' 2008 *Guidelines on Marketing to Children* (Nestle 2015b). Increasingly, self-regulation also includes voluntary pledges and commitments made to public-private partnerships, such as the Public Health Responsibility Deal in the UK, the EU Platform on Diet, Physical Activity and Health and the Healthy Food Partnership in Australia (Hawkes & Harris 2011; Jones et al. 2016; Panjwani & Caraher 2014).

The establishment of corporate self-regulation (especially in the form of public-private partnerships) has led some governments and public health organisations as well as industry nutritionists to argue that the packaged food and beverage industry can be part of the solution to obesity (Hawkes & Buse 2011; Kraak et al. 2012; Kraak & Story 2010; Yach et al. 2010; Yach, Lucio & Barroso 2007). Other scholars raise concerns that the food industry deliberately creates self-regulation to delay or pre-empt government regulation that could threaten corporate profits (Brownell & Warner 2009; Hawkes & Harris 2011; Ludwig & Nestle 2008; Moodie et al. 2013; Sharma, Teret & Brownell 2010). The aim of this chapter is not to examine the direct impact of self-regulation on public health outcomes, such as reduced exposure of children to sugary drink advertising. Rather, I aim to interrogate the strategic aspect of self-regulation that seeks to influence the political environment.

In the preceding chapters, I have referred to the Australian Beverages Council's (ABC) *Commitment Addressing Obesity and Other Health and Wellness Issues* (hereafter the *Commitment*) as an example of how the

soft drink industry discursively promotes a focus on calories/kilojoules and how it supports product reformulation as a solution to obesity. Here, I use the ABC's *Commitment* as a case study to examine the political dimensions of self-regulation. I elaborate on the circumstances under which the soft drink industry developed the *Commitment* and the strategies it used to promote it as an alternative to government regulation. Access to archival documents provides an industry perspective on its concerns about the Australian political climate at the time it developed self-regulation. Industry documents also reveal some of the political goals and objectives that the soft drink industry hoped to achieve. In addition, the launch of the ABC's *Commitment* in 2006 offers a ten-year window in which to observe how the industry strategically promoted its self-regulation.

This case study responds to two gaps in the scholarly literature on soft drink industry self-regulation. First, while there is a growing body of scholarship analysing the content of food and beverage industry commitments and pledges, there are few industry or country-specific case studies of soft drink industry self-regulation in the public health literature. This chapter offers the first case study of the Australian soft drink industry's self-regulation in response to obesity and complements international case studies (Mello, Pomeranz & Moran 2008; Nestle 2015b). Second, this case study analyses the periods preceding and following the launch of self-regulation, during which industries develop self-regulation or promote it to policymakers. By analysing a longer timeframe, this case study allows me to examine the emergence of obesity on the soft drink industry's political agenda and its decision to develop self-regulation as part of its response to obesity. This analysis helps to reveal some of the ways that corporate power manifests in self-regulation and the opportunities and challenges that the soft drink industry faces in developing and promoting self-regulation as an alternative to government policy.

In the next section, I discuss two bodies of scholarship informing this case study: first, research on how the food industry uses self-regulation to respond to obesity; and second, research on how self-regulation is conceptualised as a corporate political strategy used to influence its political environment. I then present my results and conclude with a discussion of my key findings.

## Background

A large body of literature examines the self-regulation of the food and beverage industry and raises questions about its contribution to public health solutions to obesity. Within this corpus, some scholars question the extent to which self-regulation competes with or strategically forestalls stronger forms of regulation that might be more effective in addressing obesity.

Public health scholars also examine the corporate political strategies of the food and beverage industry and raise questions about the capacity of the food industry to influence its political environment. One strategy they identify is the strategic development and promotion of self-regulation as an alternative to perceived regulatory threats.

### Self-regulation in response to obesity

Self-regulation refers to the voluntary pledges, commitments, standards, codes of practice or other rule-setting initiatives that companies or industries have created and pledged to follow (Ronit & Jensen 2014; Sharma, Teret & Brownell 2010). In some cases, individual companies have developed company specific pledges, such as Coca-Cola's "Coming Together" campaign (Nestle 2015b). In other cases, national industry associations (such as the Australian Beverages Council) or coalitions of food or beverage associations (such as the International Food and Beverage Alliance or the International Council of Beverage Associations) have developed joint commitments (Hawkes & Harris 2011). The scope of self-regulation also varies considerably. Some commitments address single issues, such as pledges to restrict the availability of soft drinks in schools (Hawkes 2010; Mello, Pomeranz & Moran 2008). Other commitments address multiple issues, such as the International Food and Beverage Alliance's five commitments on reformulation, labelling, nutrition education, marketing to children and partnerships (Yach et al. 2010).

In *Soda Politics*, Nestle (2015b) examines two cases of soft drink industry self-regulation in regards to marketing to children and removing soft drinks from schools. In both cases, industry self-regulation was preceded by a much longer history of lobbying and litigation (Nestle 2015b). In 2003, in response to school districts in the United States banning soft drinks, Coca-Cola "diverged" from its oppositional

industry strategy and became the first soft drink company to publicise self-regulation concerning health<sup>32</sup> (Mello, Pomeranz & Moran 2008). In 2005, the American Beverage Association released a vending machine policy for the American soft drink industry and in 2006, the Alliance for a Healthier Generation announced a voluntary agreement with Coca-Cola, Pepsi and Cadbury-Schweppes to restrict sales of sugary drinks in schools (Nestle 2015b). These commitments were part of the first wave of food industry self-regulation that focused predominantly on the exposure of children to unhealthy foods and beverages and to an extent preceded the more comprehensive pledges addressing obesity and the wider food environment that emerged following the release of the WHO's *Global Strategy on Diet, Physical Activity and Health* in 2004 (World Health Organization 2004).

Beginning in 2005 with the Union of European Beverages Associations and in 2006 with the Australian Beverages Council, the soft drink industry began to launch more comprehensive pledges that addressed a wider range of issues (Hawkes & Harris 2011). This effort culminated in 2008 with the launch of the International Food and Beverage Alliance (IFBA) made up of the largest global food and beverage companies including Coca-Cola and Pepsi. The IFBA published five commitments in support of the WHO's *Global Strategy* (Yach et al. 2010). In addition to a commitment to restrict marketing to children, the IFBA made commitments to reformulate foods to reduce nutrients of public health concern, provide nutrition information to consumers, promote physical activity and healthy lifestyles and develop public-private partnerships (International Food and Beverage Alliance 2018). The soft drink industry also increased its engagement in public-private partnerships, such as the Public Health Responsibility Deal in the U.K. and the Partnership for a Healthier America in the U.S. (Ken 2014; Panjwani & Caraher 2014).

In their review of obesity-related self-regulation, Ronit and Jensen (2014) differentiate between three areas of research focus: the content of self-regulation, the effect of self-regulation and the interactions between self-regulation and government regulation. One conclusion from their review and other studies is that food industry commitments are significantly weaker than the objectives set by public health or government policies (Brinsden & Lobstein 2013; Hebden et al. 2010; Lang, Rayner & Kaelin 2006; Ronit & Jensen 2014; Sacks et al. 2015). Additionally, food industry commitments are often poorly or

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<sup>32</sup> The global soft drink industry has previously engaged in self-regulation in response to environmental concerns about packaging waste. For a history of the soft drink industry's environmental self-regulation, see Elmore (2015).

inconsistently implemented, limiting their efficacy (Carter et al. 2013; King et al. 2011; Watts, Masse & Naylor 2014). A further finding is that self-regulation differs considerably between companies, industries and countries in terms of its scope and efficacy (Hawkes & Harris 2011; Lang, Rayner & Kaelin 2006; Ronit & Jensen 2014; Sacks et al. 2015). These comparative studies offer insights into the degree of consistency or inconsistency between different pledges as well as evaluating the strengths and weakness of pledges (see also Chapter 2 *The nutritional dimensions of corporate health promotion*).

In considering why self-regulation differs between companies, industries and countries, Hawkes and Harris (2011) argue that variations between country-specific political and regulatory pressures can explain some of the differences and inconsistencies between industry commitments. Jensen and Ronit (2015) also suggest that companies facing significant government and community pressure, such as soft drink companies, have a greater incentive to engage in self-regulation. Scholars scrutinising the political incentives for and impacts of self-regulation argue that the threat of regulation catalyses food industry self-regulation (Hawkes & Harris 2011; Jensen & Ronit 2015a; Mello, Pomeranz & Moran 2008; Nestle 2015b; Panjwani & Caraher 2014; Sharma, Teret & Brownell 2010). Some public health scholars claim that self-regulation serves an offensive, political purpose to deliberately undermine public health goals (Freudenberg 2014; Moodie et al. 2013; Wiist 2010). Several studies find that food industry self-regulation may “stall,” “procrastinate,” “undermine,” “pre-empt,” “avert,” “deflect” “prevent,” or “avoid” efforts to develop and implement effective government regulation (Dorfman et al. 2012; Hawkes & Harris 2011; Jensen & Ronit 2015a; Ludwig & Nestle 2008; Mello, Pomeranz & Moran 2008; Mialon et al. 2016c; Moodie et al. 2013; Nestle 2015b; Sharma, Teret & Brownell 2010). These studies portray self-regulation as a strategic initiative designed to respond to regulatory threats and diffuse unwanted government action. Despite public health concerns that self-regulation may (perhaps deliberately) undermine or pre-empt government regulation, there are relatively few case studies that examine country or industry specific pressures provoking soft drink industry self-regulation. Three notable exceptions include: Nestle’s (2015b) history of self-regulation on marketing to children and school beverage sales in the United States, Mello, Pomeranz and Moran’s (2008) case study of the development of American school beverage

guidelines and Sharma et al.'s (2010) analysis of the political context in which self-regulation originates.<sup>33</sup> These studies detail the political and regulatory context in which industries develop self-regulation to shed light on the political motivations underpinning self-regulation and the intersections between public and private policymaking.

Mello, Pomeranz, and Moran (2008) offer perhaps the only specific case study of obesity-related soft drink industry self-regulation that details how a voluntary agreement pre-empted the ongoing development of more binding regulations (Nestle discusses this case study in *Soda Politics*). Drawing on insider accounts from public health advocates involved in negotiations with the beverage industry, the case study provides a detailed account of the circumstances prompting the soft drink industry to develop self-regulation. Threatened with a class-action lawsuit from the Public Health Advocacy Institute and the Center for Science in the Public Interest, the soft drink industry was in the process of negotiating school beverage guidelines with public health advocates. Midway through negotiations, the newly formed Alliance for a Healthier Generation announced an agreement with Coca-Cola, PepsiCo and Cadbury Schweppes to restrict sales of sugar-sweetened beverages in schools. While some lauded the agreement as significant progress, public health scholars and investigative journalists found that the agreements were far weaker than the previously negotiated guidelines (Blanding 2011; Mello, Pomeranz & Moran 2008). By analysing the political and regulatory conditions preceding the soft drink industry's launch of its pledge, this case study offers insights into the role that political interests play in shaping the development and promotion of self-regulation. It also provides a vivid example of how the soft drink industry attempts to shape its political environment in its favour.

## Approaches to analysing the politics of self-regulation

The political dimensions and consequences of corporate self-regulation have been analysed from several disciplinary perspectives. Public health scholars refer to corporate self-regulation as part of the corporate “playbook,” first developed by the tobacco industry and now used by the food industry to counter the

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<sup>33</sup> Parker and Scrinis (2014) and Carey, Parker and Scrinis (2017) document a similar weakening of policy objectives following industry self-regulation of free-range labelling schemes. See also Elmore (2015) for a history of soft drink industry's use of self-regulation to pre-empt container deposit schemes.

threat of regulation (Brownell & Warner 2009; Nestle 2015b). The Corporate Political Activity framework conceptualises self-regulation as a form of *policy substitution*, designed to pre-empt mandatory regulation (Mialon, Swinburn & Sacks 2015; Savell, Gilmore & Fooks 2014). Fuchs' (2007) corporate power framework conceptualises self-regulation as a form of structural power, which gives corporations rule-setting power that can compete with government-led regulations. This literature informs my analysis of the soft drink industry's self-regulation.

Public health researchers have developed several typographies of the food industry's corporate political strategies that include self-regulation. In *Soda Politics*, Nestle (2015b) describes a range of strategies used by the soft drink industry to respond to regulatory threats raised by obesity, including the development of front groups to oppose sugary drink taxes, sponsoring physical activity programs, forming partnerships with health organisations and lobbying local and national officials (see also Chapter 2, *A bifurcated response to obesity*). Nestle (2015b) describes self-regulation as part of the soft drink industry's strategy to improve the industry's public image by emphasizing its devotion to health and wellness and raises questions about its efficacy. Nestle also notes that the American soft drink industry developed voluntary self-regulation as part of its efforts to oppose government regulation of marketing to children in the United States. Similarly, Brownell and Warner (2009, p. 267) categorise self-regulation as part of the food industry's strategy to influence government and key organisations and describe it as a "defense against government action." In their analysis of the politics of product reformulation in the United States, Scott, Hawkins and Knai (2016) classify the development of self-regulation as a corporate political strategy to participate in the policy process and influence the framing of policy debates. These typologies highlight the public relations benefits of self-regulation alongside its potential to delay the development of mandatory regulation.

In their typology of food industry Corporate Political Activity, Mialon, Swinburn and Sacks (2015) classify the development and promotion of alternatives to policies (such as voluntary codes, self-regulation and non-regulatory initiatives) as *policy substitution*. Corporate Political Activity (CPA) refers to the set of strategies businesses use to influence and shape their political environment in ways favourable to their industry (Hillman, Keim & Schuler 2004). Mialon and colleagues' approach to CPA and policy

substitution builds on Savell, Gilmore and Fook's (2014) taxonomy of tobacco industry CPA. The tobacco CPA framework notes that policy substitution "includes efforts to prevent the implementation of 'anticipated' policies" (Savell, Gilmore & Fooks 2014, p. 4). The term *policy substitution* captures the claim from public health scholars that the development of self-regulation is politically motivated and that its promotion is designed to minimise the threat of anticipated regulation.

The food industry CPA framework refers to the *development* and *promotion* of self-regulation but thus far there has been little systematic analysis of these two facets of policy substitution (Mialon, Swinburn & Sacks 2015). Analysis of food industry CPA has focused on documenting the existence of self-regulation, but does not examine the motivations that led the soft drink industry to develop self-regulation or what strategies the industry used to promote its self-regulation to policy makers (Mialon & Mialon 2017; Mialon et al. 2016a, 2017; Mialon et al. 2016c). While the existence of self-regulation is a necessary component of policy substitution, it does not sufficiently explain why and how industry uses the strategy. As noted by Sacks et al. (2013), unlike tobacco control researchers who had access to internal tobacco industry documents following litigation, public health researchers of the food industry are largely reliant on publicly available data. Dorfman et al. (2012) note that instead of drawing on internal industry documents, public health researchers document parallels between tobacco and food industry political behaviours and assume similar intentions (Brownell & Warner 2009; Buse, Tanaka & Hawkes 2017; Chopra & Darnton-Hill 2004; Freudenberg 2005; Moodie et al. 2013; Shelley, Ogedegbe & Elbel 2014; Smith 2012). While these studies identify similarities between tobacco and food industry strategies (such as the development of self-regulation), they provide few details of food industry motivations. Absent too from most research of soft drink industry self-regulation is an industry perspective. As discussed earlier, a notable exception is Mello, Pomeranz and Moran's (2008) case study of school beverage guidelines, which drew on personal accounts from public health advocates involved in industry negotiations to provide an insider perspective of the soft drink industry's strategic motives.

To augment my analysis of the soft drink industry's use of self-regulation as a CPA strategy, I consider some of the findings from tobacco control researchers, who draw on a rich dataset of tobacco industry documents detailing the industry's CPA strategies. Tobacco control researchers have identified two key

motivations for the tobacco industry's development of self-regulation. First, self-regulation was part of a broader corporate social responsibility strategy designed to improve the industry's public image. In the 1990s, tobacco companies realised that reduced public trust in their industry had greatly eroded their political influence and insider status in government (Fooks et al. 2013). While the tobacco industry eventually changed from a strategy of "opposition" to a softer strategy of "alternatives," its transition was too late; it had already lost its political authority—conceptualised by tobacco control researchers as "acceptance amongst policy elites of the legitimacy of tobacco industry political power" (Fooks et al. 2013). The tobacco industry developed self-regulation in part to help regain political authority, (Fooks et al. 2013). A key long-term objective of self-regulation was "accepted participation" in tobacco control dialogue (Mamudu, Hammond & Glantz 2008). In the UK, the tobacco industry used its self-regulation to re-establish contact with government officials and influence the subsequent topics of meetings (Fooks et al. 2011). The tobacco industry's recognition that its political influence could be constrained by a poor public image underscores the political importance of public relations.

A second insight from the tobacco control literature concerns how the tobacco industry attempted to use its self-regulation to influence the policy-making process. In addition to bolstering its public image, the tobacco industry also created self-regulation to provide an alternative to anticipated regulation. As the World Health Organisation progressed in its development of the Framework Convention on Tobacco Control, tobacco companies created a voluntary marketing code in the hope that policy makers would recognise that "there was a credible alternative" to mandatory regulation (Mamudu, Hammond & Glantz 2008). A further component of the tobacco industry's policy substitution strategy included the strategic launch of self-regulation. The tobacco industry deliberately coordinated the launch of its self-regulation so that it would have a "real and dramatic impact" on the negotiations for the Framework Convention on Tobacco Control (Mamudu, Hammond & Glantz 2008). Tobacco companies hoped to launch their self-regulation in the "run up" to WHO hearings on the Framework to "divert" the WHO from acting precipitously against the tobacco industry (Mamudu, Hammond & Glantz 2008). In Australia, the tobacco industry used self-regulation as a bargaining tool, "storing it up as ammunition in case of a regulatory threat" (Carter 2003). These studies highlight some of the strategic aspects of self-regulation, in

particular how its launch can serve as a diversionary tactic. They also highlight the role of publicity and communication in the policy substitution strategy.

Fuchs' (2007) corporate power framework conceptualises self-regulation as a manifestation of corporate power that can influence the policy making process. Like public health advocates, researchers of corporate power in the food system raise concerns about the conflict between private interests and public welfare, albeit the issue of sustainability has received more attention than obesity (Clapp & Fuchs 2009b; Clapp & Scrinis 2017; Falkner 2003; Fuchs 2007). Within Fuchs' corporate power framework, self-regulation is classified as a form of structural power, which enables corporations to intervene in the policy making process by making some policy alternatives more or less attractive to policymakers or, in the case of self-regulation, endowing some actors with rule-making power (Clapp & Fuchs 2009a; Fuchs 2007).<sup>34</sup> This rule-making power expands the private sector's capacity to influence the policy process beyond traditional lobbying activities (Fuchs 2007). Like tobacco control researchers, Fuchs (2005) notes that industries struggle to acquire and maintain political authority. Fuchs and Kalfagianni (2010, p. 10) argue that the ability of corporations to develop self-regulation is a consequence of their financial resources, but self-regulation "remains unchallenged *because it is perceived to be legitimate*" (emphasis added). Political analyses of corporate self-regulation suggest that legitimacy can arise from the perceived effectiveness of self-regulation or from the democratic participation of stakeholders in the development of self-regulation (Fuchs & Kalfagianni 2009; Fuchs, Kalfagianni & Havinga 2011; Mena & Palazzo 2012). Whereas the metric of efficacy draws attention to the outcomes of self-regulation, the metric of participation draws attention to procedural criteria such as transparency and accountability (Fuchs, Kalfagianni & Havinga 2011; Kraak et al. 2014; Porter & Ronit 2006; Reeve 2013). Whether and how the soft drink industry endeavours to foster legitimacy during the development or promotion of its self-regulation has received little scholarly attention thus far.

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<sup>34</sup> The corporate power framework and structural power are discussed in more detail in Chapter 2.

## Data collection and analysis

In this chapter, I analysed a dataset of 165 publicly available documents published by the Australian Beverages Council including: 12 commitments and position statements, 11 annual reports, 7 annual general meeting minutes, 20 newsletters, 12 yearbooks, 8 written policy submissions, 2 oral submissions, 14 industry funded papers and reports and 79 archived webpages (see Chapter 3 *Data Sources and Collection* for more details about these data sources). These documents spanned a 19-year timeframe between 1998 and 2016 (in 1998 the ABC published its first Yearbook and launched its website). This longer analytical timeframe allowed me to examine the emergence of obesity on the soft drink industry's political agenda and its decision to develop self-regulation as part of its response to obesity. In these documents, the ABC discussed its concerns about the impact of obesity on its industry, its strategy to respond to obesity and its decision to develop self-regulation. These documents offer an industry perspective on the motivations underpinning its development of self-regulation and the different ways that it promoted self-regulation following its launch.

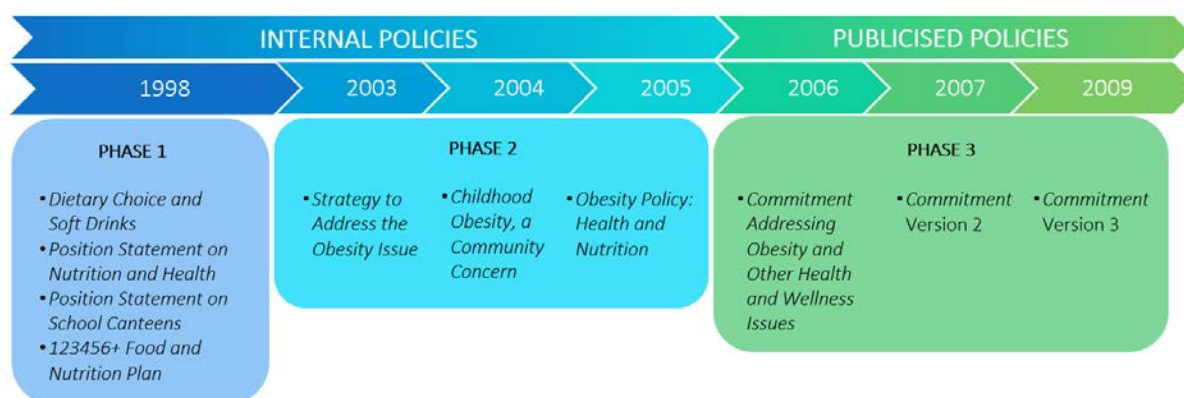
My data analysis occurred in two phases that broadly corresponded with what the corporate political activity literature on policy substitution refers to as the *development* and *promotion* of self-regulation (Mialon, Swinburn & Sacks 2015; Savell, Gilmore & Fooks 2014). I first examined the development of self-regulation that occurred between 1998 and 2006 including the official launch of the *Commitment Addressing Obesity and Other Health and Wellness Issues* (hereafter also referred to as the *Commitment*) in 2006. In this section, I chronologically documented the ABC's policy precursors to the *Commitment* and the different motivations voiced by the ABC to develop self-regulation and engage in corporate political activity more generally. I discuss the ABC's development of self-regulation in the first section of my results. Second, I examined how the ABC promoted the *Commitment* following its official launch, covering the period between 2006 and 2016. I focused on two promotional strategies: funding research to demonstrate policy efficacy and writing policy submissions. I examined the types of research funded by the ABC, the ways that it used its research to support its self-regulation and the ways that it promoted its research to policy makers and the wider public. I also examined the content of the ABC's policy submissions and the different arguments it presented in support of its self-regulation. I discuss the ABC's promotion of self-regulation in the second section of my results.

## Results

### Development of soft drink industry self-regulation

Based on my analysis of historical documents produced by the Australian Beverages Council (ABC)<sup>35</sup>, I differentiate between three distinct phases of the ABC's development of self-regulation. In the first phase, the ABC developed a range of internal health and nutrition policies and expressed concern about needing to participate in the debate about nutrition issues. In the second phase, the ABC developed a more overt (but still largely internal) response strategy to concerns about obesity and stepped up its engagement with policy stakeholders. In the third phase, the ABC worked collaboratively with other industry stakeholders to publicly launch a self-regulatory commitment. The below timeline (Figure 19) highlights the key policy documents produced by the ABC during each phase (the full texts of these documents are presented in Appendix 6 *The Australian Beverages Council's Nutrition and Obesity Policies*).

Figure 19: ABC's nutrition and obesity policies and strategies 1998-2009



The following three sections explore the key aims and objectives that the ABC discussed during each of these phases.

#### *Phase 1 (1998-2001): obesity becomes an issue for the soft drink industry*

In 1998, obesity did not feature heavily on the Australian Beverages Council's (ABC) issue management agenda. Instead, the association worked to abolish a sugar tariff (in opposition to the sugar industry), gain

<sup>35</sup> For readability, I refer to the association as the Australian Beverages Council (ABC) in my results. Formed in 1947, the original name of the association was the Australian Council of Soft Drink Manufacturers. The association changed its name several times: in 1996 to the Australian Soft Drink Association, in 1998 to the Australasian Soft Drinks Association, in 2003 to the Australian Soft Drink Association and finally in 2004 to the Australian Beverages Council.

approval to add caffeine to non-cola beverages and address environmental concerns about container deposit schemes (ASDA 1998a).<sup>36</sup> In 2000, the ABC commented that “caffeine continues to be THE major issue” (ASDA 2001, p. 12, emphasis original).

Although obesity was not a major feature of the ABC’s issue management agenda, the soft drink industry was concerned about consumer perceptions of its products and the risk that schools might ban sugary drinks (ASDA 1998b). During this time, the ABC published several documents outlining its position on nutrition issues (see Figure 19). On its website, the ABC published a modified food pyramid that included soft drinks as optional serves of “waters” as well as two position statements on school canteen sales and nutrition and health (Appendix 6). In its position statement on school canteen sales, the ABC noted that some state guidelines had placed sugary drinks in the “not recommended” list and expressed concern that this could negatively impact the perception of soft drinks as “safe and wholesome” (ASDA 1998b). The ABC raised similar concerns in its statement on nutrition and health about a “well-organised movement of individuals and organisations calling for changes in the Australian diet” and targeting foods with refined sugar (ASDA 1998e). The industry expressed fear that these criticisms might influence consumer perceptions of soft drinks:

*The key issue is that people will begin to believe such foods are valueless - and pose a health threat. Myths that become entrenched today, are passed on to future generations (ASDA 1998e).*

The ABC set out several defensive positions on both issues, arguing that:

*There is no such thing as a "good" or "bad" food - only good or bad eating habits.*

*Sound nutrition does not result from eliminating a single food from the diet, but rather upon eating a variety of foods in moderation and staying physically active.*

*Canteen policies should not exclude any food or beverage from canteens on a 'not recommended' basis.*

*Low-calorie soft drinks and mineral waters are readily available for people concerned with fitness, weight or with special dietary needs (ASDA 1998e).*

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<sup>36</sup> For readability, I abbreviate my references in my results as the following: ABC (for the Australian Beverages Council) and ASDA (for the Australasian Soft Drinks Association and Australian Soft Drink Association).

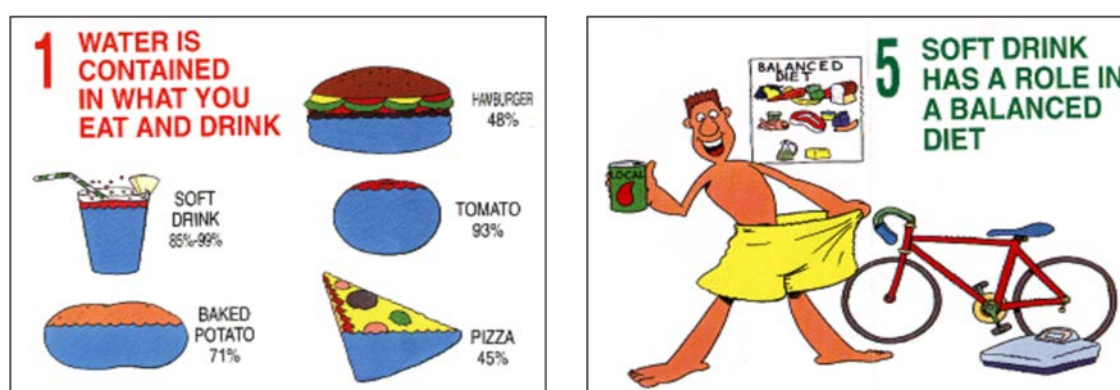
In response to these issues, the ABC stressed the importance of maintaining “ongoing active involvement in the health and nutrition community debate” (ASDA 1998a, p. 20). On its website, it claimed that:

*Nutritional concerns are probably the major issue the industry faces. We need to do a better job at getting our message across (ASDA 1998e).*

In its 1998 Yearbook, the ABC published its first nutrition policy titled *Dietary Choice and Soft Drinks* (Appendix 6). This policy took a similarly defensive position, emphasizing the diversity of the ABC member’s portfolios and claimed that these beverages “meet the dietary choices of all consumers and make a positive contribution to their lifestyle” (ASDA 1998a, p. 14). This policy also noted that the industry would provide “adequate information to assist consumers in making informed choices” but offered no specific commitments regarding labelling, reformulation, marketing to children, education programs or stakeholder engagement (ASDA 1998a, p. 15).

The ABC distributed a “Liquids for Living” brochure that was also available in the student section of its 1998 website, including the pages “Everyone’s Guide to Soft Drinks,” “Liquids for Living” and “How Soft Drinks are Made” (ASDA 1998a; 1998c). The brochure discussed how soft drinks were an important source of hydration, how they offered alternatives when local water sources are unsafe and how diet soft drinks offered “attractive ways to take our measure of daily fluids, without adding any measure to the waistline” (ASDA 1998f). The guides were targeted at children and educators, including the statement “No, you may not go home and tell your parents we said you must drink six cans of soft drink a day!” as well as cartoon illustrations (Figure 20) (ASDA 1998f).

Figure 20: Selections from the ABC’s Liquids for Living brochure



In addition to publishing position statements and brochures on nutrition issues, the ABC re-established its Public Affairs Committee, Government and Opinion Leaders Contact program, to “develop good relations” and increase contact with “leaders in government, regulatory affairs and nutrition and health” (ASDA 1999, p. 21). Between 1998 and 1999, the ABC held meetings with several government officials, food and health organisations and industry groups including the parliamentary secretaries to the Minister of Health and Shadow Minister of Health and the senior advisor to the Minister of Health (for details see Appendix 7 *The Australian Beverages Council’s engagement with key stakeholders*).

In its first phase of self-regulation, the ABC primarily took a defensive position. While it noted the availability of diet drinks, it did not actively position itself as part of the solution. In 2001, the ABC stated that the health and nutrition debate was “hotting up again,” and raised concerns about scientific studies published about the link between soft drinks and obesity and initiatives in the United States and New Zealand to ban soft drinks in schools (ASDA 2001, p. 15). At this time, the association had not yet published any formal commitments concerning obesity in print or online.

### *Phase 2 (2002-2005): the soft drink industry considers responses to obesity*

Obesity emerged as a key issue for the Australian soft drink industry in 2002, when Australian Health Ministers established a National Obesity Taskforce. Following the 2003 publication of *Healthy Weight 2008*, the ABC published its first media report acknowledging that childhood obesity was a serious issue requiring industry and government cooperation and expressing its interest in working with the government to be “part of the solution” (ASDA 2003b). The ABC also published a seven-page report in its yearbook on *Soft Drinks—Obesity and other Health Issues*. In this, it raised concerns about proposed restrictions on advertising to children and suggested that:

*Steps need to be taken to respond to any potential further development in a strategic and soundly informed manner (ASDA 2003a, p. 25)*

The ABC developed and published a *Strategy to address the Obesity Issue* in its 2003 Yearbook highlighting six initiatives focusing on funding and publishing research, encouraging education on diet and exercise and implementing a public relations program to “deal with escalating media attention” (ASDA 2003a, pp. 23-4). In 2004, the ABC published a statement on *Childhood Obesity—a Community Concern* on its website and

formed a Health and Nutrition Committee tasked with promoting the voluntary efforts of the industry in sponsoring children's sport (ABC 2004a, 2004b). These documents are available in Appendix 6.

As the prospect of government regulation in response to obesity gained political traction, the ABC acknowledged the strategic value in participating in the development of government regulation:

*If industry does not participate in standards development, governments and consumer advocacy groups will set standards without industry input (ASDA 2004, p. 42).*

The ABC also prioritised its outreach to influential stakeholders:

*A key focus has been building and maintaining relationships with government agencies and other influential organisations (ASDA 2003a, p. 31).*

In 2004, the ABC participated in three childhood obesity forums and accepted an invitation from the NSW Department of Health to be part of an industry reference group for school canteen guidelines (ASDA 2004). The ABC also reiterated its interest in collaborating with government to develop policies:

*The Industry is keen to assist and participate in developing guidelines for schools and television advertising, again based on sound science, to assist in achieving the announced policy objectives (ABC 2004b).*

In response to proposed canteen guidelines banning soft drinks in NSW, Victoria and Queensland in 2005, the ABC sent a letter to all primary schools in Australia outlining its "longstanding" voluntary pledge to limit marketing in primary schools (ABC 2006b). Further, its Public Health Committee was in "ongoing discussion" with the Commonwealth Department of Health and ABC's vice-president (from Coca-Cola South Pacific) briefed the Commonwealth's inquiry into establishing a national school canteen framework (ABC 2006a). In December 2005, the ABC attended the National Obesity Forum "under the auspices" of Senator Guy Barnett, a member of the federal Health and Aging Committee and organiser of the forum (ABC 2006a).

In addition to participating in the development of government policies, the ABC also worked to solidify its own commitments. In November 2005, the ABC participated in an industry forum with the Australian Food and Grocery Council in which they agreed to develop a policy framework for marketing to children as well as sector and sub-sector key performance indicators (ABC 2005a). Following this meeting, the

ABC CEO met with the Hon. Chris Pyne, Parliamentary Secretary for Health to discuss the commitments of the ABC and its major members (ABC 2005a).

In 2005, the ABC set out its first specific commitments that positioned the industry as part of the solution to obesity (Table 14). These commitments were part of its larger *Policy on Obesity* published on its website and in the 2006 edition of its Yearbook (full text available in Appendix 6).

*Table 14: ABC Policy on Obesity: Health and Nutrition (ABC 2005b)*

|                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| - Providing innovative, healthy and nutritious choices - i.e. beverages lower in calories, sugar, salt and higher in other healthy ingredients; |
| - The responsible addition of vitamins and minerals while ensuring the highest level of consumer protection;                                    |
| - Continuing to offer packaging size options such as single-serve as well as traditional family sized value options;                            |
| - Promoting nutrition education and physical activity, especially with schools and local communities; and                                       |
| - Ensuring that companies continue their commitments to responsible advertising and marketing practices, especially when it comes to children.  |

Until 2006, the ABC engaged with self-regulation only minimally. Although it developed some commitments around obesity, the ABC did not formally launch or publicly promote them. Multiple events in 2006, however, prompted the ABC to develop and launch a set of public commitments.

### *Phase 3 (2006): the soft drink industry launches its solution to obesity*

In April 2006, the ABC hosted the annual meeting of the International Council of Beverage Associations. At this meeting, it noted that the industry associations in the United States and Europe had developed self-regulation on marketing to children and sales of soft drinks in schools, which prompted the ABC to consider its own self-regulation:

*These proposals although not contradictory to many current Australian policies are of themselves indicative of the need to review policy and policy outcomes in Australia (ABC 2006e).*

At the ABC's annual *AusDrinks* conference, the director of Food and Nutrition Australia discussed "Nutrition Issues and Opportunities in Australia" and recommended that the industry "further develop and communicate industry initiatives and changing consumption patterns," "proactively communicate with key stakeholders" and "work with government and other bodies" (ABC 2006b).

Following these suggestions and the actions taken by its international counterparts, the ABC's board commissioned its Public Affairs Committee (headed by the public affairs manager of PepsiCo Australia)

to review all “industry health, nutrition & school canteens policies” before the 10<sup>th</sup> International Congress on Obesity, which was to be hosted in Sydney that September (ABC 2006e). The ABC also worked with other industry associations to ensure a coordinated approach to its commitments. Together with the New Zealand soft drink association, it established a 600ml standard serving size; it also worked with the Australian Food and Grocery Council on the development of the Daily Intake Guide to allow beverages to display an icon showing percent daily intake of energy alone (ABC 2007a). At the time of the August launch of the ABC’s *Commitment*, the ABC and AFGC were still negotiating a common labelling approach, but by October, the two groups had agreed on a unified labelling system that they jointly launched at parliament in November 2006 (ABC 2006c; 2006f). The launch of the Daily Intake Guide was endorsed by the Dieticians Association of Australia and officiated by the Minister of Agriculture, Fisheries and Forestry and the Parliamentary Secretary for Health (ABC 2007e). This launch closely followed the government’s first consideration of a proposal for a traffic light labelling scheme in Australia (ABC 2007a).

The ABC strategically timed and monitored the launch of its *Commitment Addressing Obesity and Other Health and Wellness Issues*,<sup>37</sup> hiring a media analyst to measure the impact of the media release during the Congress on Obesity (ABC 2006f). The ABC launched the *Commitment* with a press release one week before the Congress with the aim to “minimize negative publicity during the congress” (ABC 2006f; ABC 2007a, p. 8). According to the ABC’s media analysis, most stories published during the congress treated soft drinks positively or neutrally, which it described as a successful outcome of the launch of the *Commitment*:

*The positive stories during the Congress provided clear indication that the Council’s “Commitments” policy helped to mitigate negative publicity... In some stories the Council’s guidelines were portrayed as an example for other food and beverage sectors in the battle against obesity (ABC 2006a).*

The ABC and its members also attended the Congress with the dual objectives of learning as well as defending soft drinks to:

*...ensure that issues were treated in perspective and that various urban myths and assertions were not publicized at the expense of facts and good science (ABC 2007b, p. 8).*

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<sup>37</sup> The ABC published the first version of the *Commitment* in 2006. It published updated versions in 2007 and 2009. The full texts of these documents are available in Appendix 6.

Between 1998 and 2006, the ABC responded to changes in Australia’s regulatory environment. It increased its engagement with government stakeholders, it increased its public relations activities and it developed and publicly launched voluntary commitments for the soft drink industry. Having examined some of the motivations leading to the development of the *Commitment* and its strategic launch, I will now turn to how the ABC has strategically promoted its self-regulation.

## Promotion of soft drink industry self-regulation

In this section, I examine two strategies that the ABC used to promote its self-regulation. One strategy was to fund research and publish reports demonstrating the efficacy of its self-regulation. This strategy generated evidential support and helped the ABC foster relationships with health professionals. A second strategy was to make submissions to nutrition or obesity policies. The ABC used these submissions to outline its official position on nutrition issues and to promote the efficacy of its self-regulation.

### Funding research

My analysis identified fourteen industry reports and publications funded by the ABC since the launch of the *Commitment* in 2006 (Table 15). The ABC promoted these studies to a wide range of stakeholders as evidence that consumption of sugar-sweetened beverages in Australia was declining and that sugar-sweetened beverages contributed to a small percentage of child and adult energy intake.

Table 15: Industry funded studies

| YEAR | DOCUMENT                                                                                                                              | RESEARCHER / ORGANISATION                                                                                               | FORMAT                                                                     |
|------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| 2007 | Shifts in purchasing patterns of non-alcoholic, water-based beverages in Australia, 1997–2006                                         | Dr Gina Levy (Food Logic); Professor Linda Tapsell (University of Wollongong)                                           | Peer-reviewed paper in <i>Nutrition &amp; Dietetics</i> ; Conference paper |
| 2007 | Progress report: ABCL’s ‘Commitment Addressing Obesity and Other Health and Wellness Issues’—Audit against Key Performance Indicators | Food and Nutrition Australia                                                                                            | Report                                                                     |
| 2008 | Audit report                                                                                                                          | Food and Nutrition Australia                                                                                            | Report                                                                     |
| 2010 | The role of beverages in the diet of Australian children                                                                              | Andrea Mortensen (dietician and director of Appetite Communications); Professor Katrine Baghurst (independent reviewer) | Report                                                                     |
| 2014 | Quenching Australia’s thirst: A trend analysis of water-based beverage sales from 1997 to 2011                                        | Dr Gina Levy (Food Logic Nutrition Consulting); William Shrapnel (Shrapnel Nutrition Consulting)                        | Peer-reviewed paper in <i>Nutrition and Dietetics</i>                      |
| 2014 | Beyond the Fizz: consumer insights on soft drinks in Australia                                                                        | Ipsos Survey                                                                                                            | Infographic                                                                |
| 2014 | Australia’s thirst for change                                                                                                         | ABC in house (data from Levy and Shrapnel (2014)).                                                                      | Infographic                                                                |

|      |                                                                                                                                                                      |                                                                                                                                                        |                          |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 2014 | How much soft drink are Australians drinking?                                                                                                                        | ABC in house (data from: Australian Bureau of Statistics (2014); Levy and Tapsell (2007); 2014 Ipsos survey)                                           | Infographic              |
| 2015 | The role of beverages in the Australian diet: A secondary analysis of the Australian Health Survey: <i>National Nutrition and Physical Activity Survey (2011-12)</i> | CSIRO Food and Nutrition Flagship (unpublished report from: Hendrie G, Baird D, Syrette J, Barnes M, Riley M)                                          | Report with infographics |
| 2015 | What is the role of beverages in the diet of Australian adults?                                                                                                      | ABC in house (data from CSIRO 2015 report)                                                                                                             | Infographic              |
| 2015 | What is the role of beverages in the diet of Australian children and teens?                                                                                          | ABC in house (data from CSIRO 2015 report)                                                                                                             | Infographic              |
| 2015 | Beverages in the Australian diet                                                                                                                                     | ABC in house (data from CSIRO 2015 report)                                                                                                             | Infographic              |
| 2016 | Refreshing Our Economy: the economic contribution of the Australian Beverages Industry                                                                               | ACIL Allen Consulting                                                                                                                                  | Report with infographics |
| n.d. | Australian Beverage Choices                                                                                                                                          | ABC in house (data from: industry sales data; Levy and Tapsell (2007); Barclay and Brand-Miller (2011); and 2007 National Children's Nutrition Survey) | Infographic              |

Data sourced from: Levy and Tapsell (2007); Australian Beverages Council (2008g); Australian Beverages Council (2010b); Australian Beverages Council (2010a); Levy and Shrapnel (2014); Australian Beverages Council (2014c); Australian Beverages Council (2014b); Australian Beverages Council (2014e); Australian Beverages Council (2015f); Australian Beverages Council (2015i); Australian Beverages Council (2015j); Australian Beverages Council (2015d); Australian Beverages Council (2016c); Australian Beverages Council (n.d.).

Between 2006 and 2008, the ABC contracted Food and Nutrition Australia to audit its policy according to key performance indicators.<sup>38</sup> The ABC also funded secondary analyses of government nutrition surveys to measure changes in beverage consumption as well as analyses of company sales data. In addition to purchasing market reports, the ABC also had access to confidential market data from its members that it provided to its consultants. While the amount that the ABC paid for these research papers, reports and infographics was rarely disclosed specifically, according to its annual reports, between 2006 and 2015 the ABC spent \$343,573 on consultants and \$372,329 on issue management.<sup>39</sup> In this way, the ABC worked to position itself as an expert resource for policy makers on the changing beverage consumption patterns of Australians.

The ABC highlighted funding research as part of its strategy to address obesity, describing it as “building knowledge on the role of beverages in the Australian diet” (ABC 2016d). The ABC most frequently funded research showing that Australians had decreased consumption of sugary beverages, for example the two peer-reviewed papers published in *Nutrition and Dietetics* (Levy & Tapsell 2007; Levy & Shrapnel

<sup>38</sup> In the first and second versions of its *Commitment*, the ABC set out KPIs for its policy (see Appendix 6).

<sup>39</sup> The ABC listed its expenditures for Consulting and Issues Management for the previous year in the Profit and Loss Account section of its annual reports. I tallied the amounts listed in the ABC's annual reports between 2006 and 2016.

2014). In some of its publications, the ABC included a section highlighting its self-regulatory initiatives, for example, at the end of its infographic on “Australian Beverage Choices,” the ABC listed some of its voluntary initiatives on marketing, labelling and school beverage sales (ABC n.d.). However, more frequently the ABC presented beverage consumption statistics alone. Although the ABC did not take explicit credit for the decline in soft drink consumption in its publications, it did claim credit for changing consumption patterns in its policy submissions. By focusing on the evidence and not highlighting its initiatives, the ABC’s publications likely appeared more neutral or balanced. The perception of neutrality or transparency was important to the ABC:

*“The Committee was conscious to ensure these findings were both the positives and negatives from the survey, ensuring a theme of openness about the work” (ABC 2011).*

The ABC also funded research about consumer interest in different regulatory measures, such as in its infographic “Beyond the Fizz.” The ABC’s survey found that most Australians preferred increased information about nutrition and exercise and did not favour regulatory instruments such as a tax on soft drinks or a ban on soft drink sponsorship of sports (ABC 2014c). Again, while the ABC did not overtly claim that Australians support its self-regulation, the document implied that softer policy initiatives, such as those supported by the *Commitment*, were the preferred choices of Australians.

The ABC worked to ensure the credibility of its research in several ways. One strategy was to publish in academic journals and present at academic conferences. The ABC funded two studies that were published in the peer-reviewed journal of *Nutrition and Dietetics* in 2007 and 2014. The lead author of the 2007 paper also presented a poster display at the Dietitians Association of Australia’s 2007 annual conference, (ABC 2008d). The ABC also sought to collaborate with Australian nutrition experts and foster relationships with academic researchers that were affiliated with credible research organisations in Australia such as the CSIRO, Flinders University and the University of Wollongong.

The ABC’s promotion of its research often highlighted the role of academic researchers and institutions who were involved in the project. Following the publication of the 2007 paper in *Nutrition and Dietetics*, the ABC created a “media release in the name of Professor Tapsell with radio grabs from both Professor

Tapsell and Tony Gentile<sup>40</sup> (ABC 2008a). In some cases, the ABC engaged in outreach programs to publicise the reports it funded. In 2010, the ABC developed an outreach program to promote *The role of beverages in the diet of Australian children* (a report that the ABC had commissioned from Flinders University) (ABC 2009a). This program took the author and “leading academic” to 15 meetings with key opinion leaders across Australia (ABC 2011). The ABC estimated that the report was shared with 150 people from government, media, public health and NGOs, and it noted that the outreach program offered the “opportunity for the Council, and CEO, to actively engage with KOLs [key opinion leaders] in this space” (ABC 2011). The outreach program also publicly affiliated the ABC’s research with a highly respected scientist who had worked with the NHMRC and CSIRO.

### Policy submissions

The Australian Beverages Council made written submissions to the development of at least eight Australian policies between 2006 and 2016 (ABC 2007d; 2008b, 2008f, 2008g, 2010b, 2012, 2015g, 2016d). The CEOs of the ABC also presented evidence to the 2008 *Australian Senate Inquiry into Obesity* and 2016 *NSW Inquiry into Childhood Overweight and Obesity* (Commonwealth of Australia 2008; New South Wales 2016). Coca-Cola South Pacific (2008, 2010) also made submissions to the *National Preventative Health Taskforce* and *Blewett Review* that also referred to the ABC’s *Commitment*. Table 16 lists the written submissions made by the ABC that refer to its *Commitments* policy.

Table 16: Written submissions from the ABC

| YEAR | SUBMISSION                                                                                  | SELF-REGULATION EVIDENCE INCLUDED IN APPENDICES                                                                                              |
|------|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| 2007 | Front-of-Pack Labelling Group (Food Regulation Standing Committee)                          | ABC <i>Commitment</i> Policy<br>ABC and PepsiCo %DI guidelines                                                                               |
| 2008 | Inquiry into Obesity in Australia (House of Representatives Committee on Health and Ageing) | ABC <i>Commitment</i> Policy<br>Summary contributions from Coca-Cola, PepsiCo and Cadbury-Schweppes<br>ICBA Marketing to Children commitment |
| 2008 | Protecting Children From Junk Food Advertising Bill (Senate Community Affairs Committee)    | ICBA Marketing to Children commitment<br>2007 Audit of <i>Commitments</i>                                                                    |
| 2008 | National Preventative Health Taskforce                                                      | ABC <i>Commitment</i> Policy<br>2008 Audit of <i>Commitments</i>                                                                             |
| 2010 | Food Labelling Law and Policy Review (Blewett Review)                                       | ABC <i>Commitment</i> Policy<br>2008 Audit of <i>Commitments</i>                                                                             |
| 2012 | NHMRC Australian Dietary Guidelines                                                         | ABC <i>Commitment</i> Policy                                                                                                                 |
| 2015 | Citizen’s Jury on Obesity (Victoria)                                                        |                                                                                                                                              |
| 2016 | Inquiry into Childhood Overweight and Obesity (NSW)                                         |                                                                                                                                              |

<sup>40</sup> CEO of the ABC at that time.

The ABC made three key arguments in support of its self-regulation in its policy submissions. First, it argued that the actions of the soft drink industry had been effective in reducing the consumption of sugar-sweetened beverages; second, it asked for recognition of the soft drink industry's proactive efforts to be "part of the solution;" and third, it asked to participate in future policy development. These themes are apparent in the ABC's 2016 submission to the *NSW Inquiry into Childhood Overweight and Obesity*, in which the ABC (2016d, p. 9, emphasis added) recommended:

*Consideration of the important outcome of the beverage industry commitments and programs in **contributing to a substantial decline** in children's consumption of sugar-sweetened drinks.*

***Recognition of the beverage industry's public commitments** to be part of the solution to the problem of childhood obesity through a range of initiatives including offering choice through product innovation and portion size, labelling and guidance, responsible marketing and research.*

*A **collaborative approach** that acknowledges the importance of a **multi-sector stakeholder engagement** e.g. government, industry, NGOs in making meaningful and lasting changes to meet the priority target.*

The ABC's first argument centred around the public health outcomes of the ABC's self-regulation and asserted that, since the desired public health outcomes had already been achieved (or had achieved significant progress), further regulation was unnecessary. To support this claim, it presented data about Australian consumption of sugary drinks. In its 2008 submissions to the *Inquiry into Obesity* and *National Preventative Health Taskforce* as well as its submission to the 2012 draft dietary guidelines, the ABC referred to the research paper it had funded (Levy & Tapsell 2007), documenting the shift away from sugary drinks as evidence that the ABC's self-regulatory initiatives were having a positive public health impact. The ABC did not disclose that it had funded the Levy and Tapsell paper. In its submission to the dietary guidelines, the ABC also referred to the Australian Paradox paper (Barclay & Brand-Miller 2011) that argued sugar intake in Australia had declined while weight gain increased. In its 2015/2016 submissions to the Citizen's Jury and NSW Inquiry, the ABC presented new data from the research it had funded showing a shift between 1997 to 2011 from sugary to low/no-sugar drinks in Australia (Levy & Shrapnel 2014). It also presented data from a study it had commissioned by the CSIRO showing that children's consumption of sugary drinks had decreased and that sugary drinks contributed to a small percentage of

energy intake<sup>41</sup> in Australia (ABC 2015f; Hendrie et al. 2015). The ABC disclosed that it had commissioned the CSIRO report, but it did not disclose its funding of the Levy and Shrapnel paper.

The ABC also emphasised other outcomes from its initiatives beyond a decreased consumption of sugary drinks. In 2007, the ABC noted that consumer research in the UK found that sales of products labelled with lower percent daily intake had increased, and in Australia, consumer research found that percent daily intake labelling facilitated product comparisons (ABC 2007d). The ABC also noted that its member companies had reduced children's exposure to sugary drinks in schools. Referring to its 2007 policy audit, the ABC noted that prior to the launch of the *Commitment*, sugar-sweetened carbonated drinks were available in 2865 schools, but a year later these drinks had been withdrawn from 1341 schools (ABC 2008g).

The ABC's second argument was that its industry had proactively responded to concerns about its products. To support this claim, the ABC focused on how its member companies comprehensively implemented its initiatives, often beyond existing guidelines. In 2007, one year after the launch of its *Commitment*, the ABC noted that:

*Many ABCL members are already providing information on product labels, over and above legislative requirements (ABC 2007d, p. 1).*

The ABC reiterated this claim in all its submissions, noting in its 2016 submission to the NSW inquiry that its self-regulation had been in place for a more than a decade. The ABC also emphasised the expansive nature of its self-regulation, describing it as a “raft of voluntary initiatives” (ABC 2008f). It also referred to its policy audits to demonstrate the “substantial,” “entrenched” and “widespread implementation of the initiatives” by member companies (ABC 2008b, 2008g, 2010b). The ABC framed the voluntary nature of its commitments as evidence of the soft drink industry's benevolent nature, highlighting that the industry had “willingly participated,” “voluntarily committed” and “[listened] and [adapted] to consumer needs” (ABC 2008g, 2015g).

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<sup>41</sup> For a detailed analysis of the Australian soft drink industry's focus on energy/calorie intake, see chapter 4.

The ABC argued that widespread implementation of its self-regulation not only demonstrated the efficacy of its policy, but also justified maintaining the industry's self-regulation in lieu of other government alternatives. In some cases, the ABC argued that its self-regulation “negated the need for any legislation in so far as beverages are concerned” (ABC 2008g, p. 2). The ABC also warned of the risk of competing and “confusing” labelling policies, such as those seen in the UK and Europe, and highlighted the regulatory strength provided by the soft drink industry's consistent labelling code (ABC 2007d).

The ABC's third argument highlighted its interest in further dialogue with policy makers and the opportunity to “contribute to collaborative actions” (ABC 2010b). In its submission to the National Preventative Health Taskforce, the ABC welcomed the proposed development of a National Preventative Agency and the “recognition that effective controls will require ‘*working with the food and beverages industries*’” (ABC 2008b, p. 10, emphasis original). The ABC noted that many countries overseas had “sought the active collaboration” of the food and beverage industry (ABC 2008f). The industry expressed interest in partnerships and co-regulatory approaches as well (ABC 2008b, 2010b).

In its earliest submission, the ABC noted government support for its self-regulation and asked for increased government support for its labelling policy:

*The Daily Intake Guide labelling system is publicly supported by the Hon. Tony Abbott, Minister for Health and Ageing. The ABCL would welcome the promise of a Government education campaign to move this support to the next level... (ABC 2007d).*

The ABC also met with government officials to discuss its *Commitment*, noting that Shadow Minister for Health Nicola Roxon had “complimented the Industry on our new Obesity Commitments Policy and action taken to date” and had a “very good understanding of our Industry's issues” (ABC 2007f, p. 1). In its 2007 audit of the *Commitment*, the ABC documented its stakeholder engagement efforts, noting that it had met with multiple health and government stakeholders in regard to its policy on marketing to children (the stakeholders mentioned by the ABC are listed in Table 17).

Table 17: ABC engagement with key stakeholders about the Commitment

| HEALTH STAKEHOLDER                                                                                                                                                         | GOVERNMENT STAKEHOLDER                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>- Parents Jury</li> <li>- Cancer Council</li> <li>- DAA</li> <li>- CHOICE</li> <li>- FOCiS</li> <li>- Diabetes Australia</li> </ul> | <ul style="list-style-type: none"> <li>- NSW and VIC Health Departments</li> <li>- Federal government MPs</li> <li>- Commonwealth Department of Health</li> <li>- FSANZ</li> <li>- Parliamentary Secretary for Health</li> <li>- Health Minister's policy advisor</li> <li>- Shadow Minister for Health</li> </ul> |

Data sourced from: Australian Beverages Council (2008g)

The ABC claimed that most of the stakeholders had endorsed the ABC's policy on marketing to children or "provided suggestions for improvement" (ABC 2008g). In addition, the ABC regularly hosted its board meetings in Canberra and invited government officials to attend or give presentations (see Appendix 7 for more details on the ABC's stakeholder engagement activities). It noted that these meetings provided "valuable opportunities for the industry to liaise with government" (ABC 2008a, p. 7). At other points the ABC estimated that it annually engaged with "approximately 50 stakeholders" as part of its issue management agenda (ABC 2015a, p. 4).

Following the 2006 launch of its *Commitment*, the ABC strategically promoted the efficacy of its self-regulation by funding research and then drawing on that research to argue that its self-regulation had been widely implemented and had demonstrable impacts on population health. While it is beyond the scope of this study to definitively measure the influence of the *Commitment* on Australian health policies, this case study provides a behind-the-scenes view of the political motivations underpinning the development of self-regulation and industry strategies to promote its self-regulation. In the following discussion, I highlight some of the key findings that emerged from my analysis of the ABC's development and promotion of self-regulation in response to obesity.

## Discussion

My analysis of the ABC's historical yearbooks and website archives offers a window into the emergence and ascent of obesity on the Australian soft drink industry's political agenda. While The Coca-Cola Company recognised obesity as a potential threat to its business in the 1970s (Nestle 2015b), obesity did not feature in the ABC's political agenda or policies prior to 2001. The ABC instead expressed concern over proposed canteen guidelines and restrictions on marketing to children. These two issues also

dominated early examples of food industry self-regulation internationally (Hawkes 2010; Hawkes & Harris 2011; Jensen & Ronit 2015a; Mello, Pomeranz & Moran 2008; Nestle 2015b). The soft drink industry's commitments on marketing to children and school beverage guidelines can be understood in the context of longstanding and ongoing regulatory threats. In the United States, health advocates proposed restrictions on marketing to children and healthy school guidelines several decades before obesity emerged as a political issue (Nestle 2015b). Likewise, public health researchers have noted that prior to 2002, there was little political attention to obesity in Australia (Baker et al. 2017).

To be clear, once obesity emerged as a regulatory threat, it did not replace the regulatory threats around marketing to children and school beverage guidelines. Rather, obesity regulation incorporated and amplified earlier regulatory threats (regulating marketing to children was a key focus of early obesity policy proposals in Australia (Baker et al. 2017)). Given the regulatory overlap, it is unsurprising to find that the ABC incorporated some of its earlier pledges on marketing to children and canteen sales into its 2006 *Commitment*. Recently, taxes on sugary drinks have become a key political issue for the soft drink industry (Baker, Jones & Thow 2018; Paarlberg, Mozaffarian & Micha 2017; Pfister 2016). The soft drink industry has again modified and repackaged some of its existing commitments. In response to proposed taxes in Singapore and Lithuania for instance, the soft drink industry has pledged to reduce the sugar content in its drinks—a pledge it has made in other countries previously (Michail 2018; Wan, Watson & Arthur 2017). The ascent of sugary drink taxes on the Australian soft drink industry's political agenda illustrates the dynamism of the obesity policy landscape. Issues ascend and descend the policy agenda, and the soft drink industry is engaged in a constant battle to create and maintain a policy environment favourable to its interests.

The ABC's documents that I analysed in this chapter spanned a 19-year timeframe, over which I observed a distinct shift from a defensive, reactionary response to a more overtly proactive approach that centred around voluntary self-regulation. The difference between the ABC's rhetoric in its earliest nutrition statements and its 2006 *Commitment* illustrates the evolution of its approach to obesity. Whereas its 1998 statement on nutrition and health emphasized why soft drinks were not part of the problem, its 2006 *Commitment* focused on how soft drinks were part of the solution to obesity. The Australian soft drink

industry's transition away from an emphasis on denial is consistent with international research documenting a shift in industry frames about obesity. Following 2006, the American food industry rarely made the argument that obesity was not a public health problem (Nixon et al. 2015). My case study found that a shift from a denial and negation strategy toward one of proactive policy development and engagement occurred over a similar period for the Australian soft drink industry. 2006 was also the year that the food and beverage industry launched self-regulatory codes around the world. The American soft drink industry launched the *Alliance for a Healthier Generation* with the Clinton Foundation, the European Union soft drink industry published commitments to the *EU Platform Action on Diet, Physical Activity and Health* and the Australian Food and Grocery Council launched its front-of-pack labelling scheme (Carter et al. 2013; Hawkes & Harris 2011; Mello, Pomeranz & Moran 2008). These national and regional codes of conduct mark the emergence of a more coordinated response to obesity and the growing unity of the food and beverage industry's response. I will elaborate on these trends and shifts in the soft drink industry's response to obesity in Chapter 7.

The range of different obesity policies targeting sugary drinks raises questions about how the soft drink industry attempts to promote its self-regulation as an alternative to different policy proposals (Pomeranz 2012; Thow & Hawkes 2014). Both preceding and following the launch of its *Commitment*, I found that the ABC promoted its self-regulation to a wide assortment of stakeholders through a variety of methods including: holding meetings with government officials and health organisations, writing letters to schools, participating in policy development, briefing inquiries, attending conferences, disseminating industry-funded research, writing policy submissions, as well as providing information on its website. The international soft drink industry also promotes self-regulation as part of its lobbying strategy. An analysis of the European food industry's opposition to sugar taxation found that promotion of industry self-regulation was the most common lobbying argument used by the industry (Tselengidis & Östergren 2018). While the Australian soft drink industry lobbied to promote its self-regulation, I also observed a reciprocal relationship where the ABC's self-regulation helped it to gain access to policy stakeholders and key opinion leaders in government and public health. During the development of the *Commitment* and following its launch, the ABC sought feedback from government and public health stakeholders on its self-regulation. The tobacco industry also asked for "feedback" on its CSR initiatives, a strategy which

helped the industry to create “starting points for dialogue” to re-establish access to policy makers (Fooks et al. 2011). This illustrates how the soft drink industry leverages self-regulation to expand and normalise its relationships with government and health stakeholders. It also illustrates how the soft drink industry’s “rule-setting power” can amplify more traditional forms of political influence such as lobbying, an idea I will discuss further in Chapter 7 (Fuchs 2007).

This study also illustrates some of the ways that different corporate political activity (CPA) strategies can intersect and amplify one another. While the soft drink industry’s efforts to make policy stakeholders aware of its self-regulation correspond with the “promotional” aspect of policy, they could also be categorised as contributing to other CPA strategies, such as the *information and messaging* or the *constituency building* strategies (Mialon, Swinburn & Sacks 2015; Savell, Fooks & Gilmore 2016; Savell, Gilmore & Fooks 2014). We can also observe overlap between industry efforts to *shape the evidence base* and *constituency building*, as the ABC’s research investment created opportunities for the industry to build and strengthen its relationships with research organisations and nutrition professionals. Further, the ABC’s financial resources facilitated its research investment, which illustrates some of the ways that the soft drink industry translates its market and financial resources into political influence. Previous research of the Australian food industry’s lobbying activities (part of the *information and messaging* CPA strategy) has used data from interviews and the Australian public Register of Lobbyists but found little evidence of the “extent, timing or nature” of food industry lobbying (Mialon et al. 2016a, 2017). My analysis complements interview-based research about food industry corporate political strategies by offering a more detailed account of the extent of lobbying activities via a data-set of annual reports, newsletters, yearbooks and other industry-generated materials. Future research about food industry corporate political strategies in Australia and other countries without mandated lobbying disclosures could benefit from detailed analysis of industry documents.

As part of its strategy to promote corporate self-regulation as part of the solution to obesity, I found that the ABC took multiple steps to portray its self-regulation as legitimate and credible. One strategy was to demonstrate the alleged efficacy of self-regulation. As discussed in the background of this chapter, perceived policy efficacy is an important source of legitimacy for self-regulation (Fuchs & Kalfagianni

2009; Fuchs, Kalfagianni & Havinga 2011; Mena & Palazzo 2012). The ABC funded research that it used to support its claim that its self-regulation generated positive public health outcomes. I also found that the ABC took steps to position its research as neutral and credible, suggesting that the soft drink industry has internalised some of the criticisms raised about food industry conflicts of interest in nutrition research and is taking steps to mitigate and minimise these concerns (Goldman et al. 2014; Kearns, Schmidt & Glantz 2016; Kearns, Apollonio & Glantz 2017; Mozaffarian 2017; Nestle 2015a). In addition to perceived policy efficacy, democratic participation in policy development is an additional source of legitimacy for self-regulation (Fuchs & Kalfagianni 2009; Fuchs, Kalfagianni & Havinga 2011; Mena & Palazzo 2012). My analysis finds that the ABC, like other food industry groups, developed its self-regulation internally and presented it as a finished policy package. This is consistent with international research, which finds that the food industry focuses on demonstrating the efficacy of its self-regulation, not on fostering stakeholder participation (Fuchs & Kalfagianni 2009; Fuchs, Kalfagianni & Arentsen 2009; Fuchs, Kalfagianni & Havinga 2011).

Building on its claim that its self-regulation was effective, the ABC made the additional claim that further regulation was unnecessary. This echoes the tobacco and alcohol industries' arguments of "regulatory redundancy" in response to proposed regulation impacting their industries (Martino et al. 2017; Savell, Fooks & Gilmore 2016; Savell, Gilmore & Fooks 2014). This claim of regulatory redundancy is premised on the supposed efficacy of self-regulation; the ABC claims that consumption of sugary drinks in Australia is declining, and scholarly research corroborates this at a population level (Popkin & Hawkes 2016). The crux of the ABC's "regulatory redundancy" claim is that its self-regulation played an instrumental role in these positive health outcomes. While the Australian soft drink industry's voluntary initiatives may have contributed to a reduction in sugary drink consumption, their impact remains subject to analysis. The drivers of dietary patterns and change are complex and public health interventions targeting sugary drink consumption are by necessity multifaceted (Hawkes, Jewell & Allen 2013; Lang, Barling & Caraher 2009; Myers et al. 2017; Pomeranz 2012; Thow & Hawkes 2014). International evaluations of the soft drink industry's voluntary initiatives have found that, despite industry assertions to the contrary, industry commitments have essentially taken credit for pre-existing shifts in the market. For example, in the United States, evaluations of the soft drink industry's calorie reduction pledge found that

a calorie reduction preceded the commitment and similar outcomes would have likely occurred without the industry initiative (Ng, Slining & Popkin 2014). Similarly, the American soft drink industry's pledge to remove sugary drinks from primary schools resulted in insubstantial changes as few sugary drinks were sold in primary schools before the pledge (Mello, Pomeranz & Moran 2008). In Chapter 7, I will explore further the question of whether the soft drink industry is benevolently changing its business practices or merely amplifying market trends that are in alignment with public health aims.

The findings of this chapter suggest that the timing and context of the launch of self-regulation play an important role in the CPA strategy of policy substitution. Together with the AFGC, the ABC launched its front-of-pack labelling system shortly following the government's initial consideration of a multiple traffic light label. Assessing the extent to which this voluntary labelling scheme delayed the development of labelling regulation is beyond the scope of this research project. However, the discussion of the industry's labelling scheme in the 2011 Review of Food Labelling and the government's subsequent decision to include industry in the development of a labelling policy indicate that the Australian food and beverage industry was successful in getting the attention of policy makers and gaining access to the policy making process (Independent Expert Panel for the Review of Food Labelling Law and Policy 2011; Lawrence, Dickie & Woods 2018; White & Signal 2012).

International examples show that when faced with the prospect of regulation, the food industry deliberately launches self-regulation during policy consultations. In their case study of school beverage guidelines, Mello, Pomeranz and Moran (2008, p. 601) note that the American soft drink industry had been "operating under the real or perceived threat of litigation" while negotiating the school guidelines launched with the Alliance for a Healthier Generation. In 2011, the Grocery Manufacturers of America and the Food Marketing Institute launched a voluntary front of pack labelling scheme while in ongoing negotiations with the US government to develop a labelling system. Brownell and Koplan (2011, p. 2374) questioned why the American food industry would not wait for the expert recommendations from the Institute of Medicine expected later that year and concluded that industry wanted to "lock in a system that would change food choices as little as possible and pre-empt the imposition of an alternative system." Both the International Food and Beverage Alliance and the International Council of Beverage

Associations unveiled marketing commitments during the 2008 World Health Assembly when the WHO was considering proposals to address diet-related diseases (World Health Organization 2008). In one of the ABC's yearbooks, the International Council of Beverage Associations discussed the impact of the launch of its Guidelines for marketing to Children, claiming that, "this policy was especially important at the 2008 World Health Assembly as calls for more stringent government regulation were muted by the industry's voluntary commitment" (ABC 2009b, p. 42). While Brownell and Koplan posit the idea of a policy "lock-in," where industry self-regulation would become entrenched, my findings are more similar to the "muting" that occurred at the WHO, where the launch of an industry front-of-pack labelling scheme helped diffuse political momentum to develop regulation. I found that the ABC also sought to "mute" pressure for policy development until it could provide evidence of its own initiatives' effectiveness and gain access to the policy process.

The idea that self-regulation can diffuse political momentum can be understood as the "politics of non-decision-making" (Bachrach & Baratz 2002). Lang, Barling and Caraher (2009) note that attention to the "non-decision making" aspect of political power raises important questions about which issues have not appeared or have been downplayed in food policy agendas. There are several ways that the soft drink industry's development of self-regulation can facilitate non-decision making. First, by taking some steps to address the problem of obesity, the industry may decrease the perceived urgency of the problem. Kingdon (1984, p. 109) notes that frequently the passage of any government legislation on an issue diminishes attention to the issue, and that some political strategists might "prefer *not* to have legislation, because then it keeps attention focused on the problem." Critics of incremental policy change have raised similar concerns about the tendency for policy developments to lull the public into thinking the problem has been addressed (Coglianese & D'Ambrosio 2007). In Chapter 7, I will elaborate further on the ways that corporate health promotion facilitates regulatory inaction.

The need to keep political attention focused on the problem highlights the importance of how (and by whom) problems are defined in policy debates. Problem definitions are mutable and subject to ongoing contestation and debate; they highlight some aspects of the problem while obscuring others and advocate some solutions while ignoring others (Bacchi 1999, 2009; Weiss 1989). As I discussed in Chapter 4, the

soft drink industry defines obesity in such a way as to minimise its responsibility and support solutions amenable to its bottom line. Porter and Ronit (2006) argue that industries expend considerable effort in defining a policy problem as one that can be addressed by “incremental change in best practice.” I discussed earlier how the ABC’s *Commitment* essentially took credit for market trends that matched public health objectives. Arguably, the industry’s commitment to calorie labelling demonstrated the most significant deviation from the business status quo, however this too was softer than other policy alternatives (Carter et al. 2013; Kelly et al. 2009; Maubach, Hoek & Mather 2014; Watson et al. 2014). The launch of self-regulation may lead to non-decision-making for a time. However, because problem definitions are subject to ongoing contestation, the soft drink industry must constantly renegotiate and adapt its self-regulation to meet new problem definitions and stakeholder expectations. The emergence of sugary drink taxes designed not only to address obesity, but to generate revenue for governments (Paarlberg, Mozaffarian & Micha 2017), indicates that the “problem” to which sugary drink taxes are the “solution” is expanding and changing in scope. I will discuss in Chapter 7 how the soft drink industry is endeavouring to negotiate these new challenges.

By launching self-regulation, the ABC not only minimises the extent to which obesity is perceived to be a problem in need of a policy solution, but also the extent to which its industry is seen as part of the problem. While some of the ABC’s self-regulation was launched as an alternative to a specific anticipated policy, in other cases I found that self-regulation functioned more as public relations. The ABC timed the launch of its *Commitment* to coincide with the 10<sup>th</sup> International Congress on Obesity—during which the Sydney Principles on marketing to children were launched (Swinburn et al. 2008). By preceding the event, the soft drink industry created an opportunity for its members to interact with public health stakeholders and promote its self-regulation during the Congress. The launch provided numerous public relations benefits for the industry. Following its launch of the *Commitment*, the ABC noted that its self-regulation was held up as an example for other industries to follow and received praise from key policy stakeholders including then Shadow Minister of Health, Nicola Roxon. As the first sector of the Australian food industry to launch self-regulation,<sup>42</sup> the beverage industry claimed that it had responded to obesity faster

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<sup>42</sup> The AFGC launched its self-regulation in 2009 (Hawkes & Harris 2011).

than other industries. Praise for soft drink industry self-regulation has also been forthcoming overseas. A variety of stakeholders including former president Bill Clinton, as well as public health advocate Kelly Brownell, praised the American beverage industry for launching its school beverage policy (American Beverage Association 2011; Nestle 2015b). Similarly, former first lady Michelle Obama commended the American Beverage Association's *Clear on Calories* labelling initiative at the launch of the national *Let's Move* campaign (The White House 2010). This is consistent with descriptions of self-regulation as a CSR strategy (Bryden et al. 2013; Gomez et al. 2011; Ken 2014; Nestle 2015b; Simon 2011). By analysing the context in which the food industry launches self-regulation, we can observe that the timing of these launches is strategic, not only to pre-empt anticipated policies, but to soften anticipated industry criticism.

The link between corporate self-regulation and public relations becomes clear when we consider the experience of the tobacco industry. Named the “merchants of doubt,” the tobacco industry spent decades contesting the health harms of its products—a strategy that eventually led government officials to view the industry as untrustworthy (Fooks et al. 2013; Oreskes & Conway 2011). In retrospect, according to the former vice president of Kraft Foods, rather than denying the problem for decades, the tobacco industry would have been better off sacrificing some profits and implementing a more comprehensive CSR response to “disarm critics” (Scott & Nixon 2017). The food industry has moved faster than the tobacco industry to initiate CSR and position itself as part of the solution (Smith 2012). Dorfman et al. (2012) argue that the soft drink industry has learned from the tobacco industry's experience and uses self-regulation and other CSR initiatives to avoid similar denormalisation and ostracism. Nevertheless, the soft drink industry's efforts to “disarm” its critics with self-regulation remain at odds with its ongoing lobbying and CPA strategies, the discovery of which has the potential to discredit the soft drink industry's claim to be part of the solution. At the end of 2017, several public health advocates criticized the ABC for boasting about the effectiveness of its lobbying program in keeping a sugary drink tax off the Australian government's policy agenda (Han 2017).

While the soft drink industry has learned from the tobacco industry's experience, so too have public health advocates, who remain suspicious and watchful of industry political activity. To an extent, the praise that the beverage industry received for launching self-regulation reflected the initial optimism of

public health advocates, who hoped that the food industry could be part of the solution. In a 2008 commentary, Ludwig and Nestle (2008) noted that the food industry was “considered a stakeholder in the campaign against obesity,” and in the introduction to the Plos Medicine 2012 series on Big Food, Stuckler and Nestle (2012) noted that governments and public health advocates often supported collaborative approaches with the food industry. As public health policies to reduce the consumption of sugary drinks have proliferated, enthusiasm for industry self-regulation has waned and calls for mandatory regulation have increased (Baker, Jones & Thow 2018; Buse, Tanaka & Hawkes 2017; Paarlberg, Mozaffarian & Micha 2017). Internationally, the growing rejection of sugar-sweetened drinks, the proliferation of public health campaigns condemning the soft drink industry and the increasing frequency with which taxes on sugary drinks are proposed indicate that the soft drink industry’s political strategy to use self-regulation to pre-empt government regulation faces significant challenges. I will explore the consequences of these trends further in Chapter 7.

## Conclusion

This chapter has examined the political dimensions and consequences of self-regulation. Using a case study of the Australian Beverages Council’s self-regulation, I have examined the emergence of obesity on the soft drink industry’s political agenda and its use of self-regulation to respond to obesity. An overarching finding of this chapter is that the soft drink industry’s response to obesity evolved over time and shifted from an oppositional strategy of denial to one of proactive conciliation.

The archival documents that I accessed from the ABC provide a greater level of insight into the concerns and interests of the soft drink industry that led it to develop self-regulation and the strategies it used following its launch to promote it. The strength of this approach lies in its use of publicly available documents and its potential replicability across different industries and countries. By focusing on one aspect of corporate political activity—the development and promotion of self-regulation in response to obesity—this case study provides insights into the role that self-regulation plays as a corporate political activity and a component of the food and beverage industry’s “playbook.” By drawing out the political characteristics of self-regulation in this case study, this chapter contributes to the growing body of scholarship investigating how the food and beverage industry use self-regulation as a political strategy.

## 7. Corporate health promotion

### A conciliatory manifestation of corporate power

*When “fending off” fails, industry associations often move to a “plan b” strategy of “pacifying” through the creation of new initiatives...These alternatives...rarely include meaningful stakeholder governance or require significant behavioral changes.*

—Bernstein and Cashore (2007)

*Since 2005, when I first noticed the dance of creativity and appropriation between social initiatives and agrifood capitals, it has become increasingly clear that capital is very clever indeed. Corporations can hire the best writers and imagemakers and use the internet and public meetings to capture ideas, words and even (yes) practices emerging from social initiatives from below.*

—Friedmann (2016, p. 675)

## Introduction

This thesis seeks to contribute to a growing conversation about the political power of the packaged food and beverage industry. As discussed in Chapter 2, there is concern about the power and influence of large corporations in public health governance—the so-called “commercial determinants of health” (Buse, Tanaka & Hawkes 2017; Kickbusch, Allen & Franz 2016; McKee & Stuckler 2018; Millar 2013; Moodie et al. 2013). This concern has sparked scholarly investigation into how corporations use political tactics to influence public health research and policy. Thus far, most analyses have focused on how the packaged food and beverage industry uses political tactics to overtly resist and oppose public health solutions to obesity, such as through lobbying, campaign contributions, litigation, funding counter research, co-opting scientists or using front groups to challenge policy proposals (Freudenberg 2014; Madureira Lima & Galea 2018; Mialon, Swinburn & Sacks 2015; Moodie et al. 2013; Nestle 2015b; Wüist 2010).

In this thesis, I have explored instead the Australian soft drink industry’s conciliatory responses to obesity—the provision of nutrition education and information (Chapter 4), product reformulation to reduce calories and sugar (Chapter 5) and the development and promotion of self-regulation (Chapter 6)—its corporate health promotion strategies. In my case studies, I have shown how the soft drink industry’s provision of nutrition education and information promotes a narrow interpretation of the “problem” of obesity that minimises corporate blame; it also helps to legitimise corporate engagement in nutrition communication. Product reformulation accommodates market and political threats to business interests; it also helps to legitimise commercial solutions to obesity and ensure continued corporate profits. Lastly, self-regulation minimises the threat of regulations that could harm business interests; it also helps to legitimise corporate participation in nutrition policy making. A key conclusion arising from this thesis is that corporate health promotion is fundamentally a political strategy.

The aim of this chapter is to provide an analysis of how the soft drink industry’s political strategy to position itself as “part of the solution” to obesity reinforces corporate power relations and makes it easier for the industry to exert political influence. In Chapter 2, I noted that the soft drink industry exercises corporate power to shape the political environment, and that this power manifests differently in its oppositional and conciliatory political strategies. I observed that the exercise of power in the soft drink

industry's oppositional political strategies is characterised by direct or implied threats and criticisms of industry opponents, whereas the exercise of power in the soft drink industry's conciliatory political strategies is characterised by concessions or the publicising of industry's good behaviour. To account for these differences, I proposed a modification of Fuchs' (2007) corporate power framework to differentiate between oppositional and conciliatory manifestations of power. I argued that corporate health promotion strategies constitute a conciliatory manifestation of power and, moreover, that the exercise of conciliatory (as opposed to oppositional) corporate power generates different political consequences. In my case studies, I have identified some of the conciliatory manifestations of corporate power in the Australian soft drink industry's corporate health promotion strategies. In this chapter, I first map out the contours of this conciliatory political strategy. I then argue that the soft drink industry's conciliatory political strategy strengthens corporate power relations in ways that its oppositional political strategies do not.

I begin this chapter by highlighting and elaborating on two overarching findings about the corporate health promotion strategies in my case studies. First, I show how corporate health promotion is evolving and adapting to changing market and political pressures. These adaptations include concessions to public health demands as well as other strategies to ensure the continued relevance of corporate health promotion. Second, I elaborate on four shared political dimensions of the corporate health promotion strategies analysed in my case studies and the political benefits they provide the soft drink industry.

In the third section of this chapter, I interpret my findings in light of the food studies scholarship on corporate power to help explain the political consequences of the soft drink industry's strategy to position itself as "part of the solution" to obesity. I explore some of the ways that corporate health promotion builds the industry's economic resources, maintains a business-friendly status quo, enables industry governance of the food system, improves its relationships with supporters and critics and fragments industry opposition. Collectively, these political consequences of corporate health promotion reinforce and strengthen the political power and influence of the soft drink industry. In the concluding section of this chapter, I reflect on the implications of my findings for how the public health nutrition community can engage with and respond to corporate health promotion.

## Corporate health promotion is an adaptive political strategy

One of the key characteristics of the soft drink industry's conciliatory political strategy is the use of concessions, not threats, to appease industry critics. Conceptualising corporate health promotion initiatives as concessions highlights the relationship between these initiatives and public health nutrition governance. When we consider how corporate health promotion strategies have evolved and changed over the past two decades, their progressive and incremental alignment with public health nutrition policies become apparent.

The corporate health promotion strategies that I examined in my case studies were not static initiatives, but “living documents” and programs that changed over time in response to changes in their political and market environments (Hawkes & Harris 2011). The transformation of corporate health promotion from isolated company pledges to internationally audited commitments demonstrates the extent to which the packaged and fast food industry feels pressured to respond to public health proposals to hold the private sector accountable for non-communicable diseases (Buse, Tanaka & Hawkes 2017; Kickbusch, Allen & Franz 2016; Millar 2013; Stuckler et al. 2012). Furthermore, the adaptive nature of corporate health promotion demonstrates the soft drink industry's awareness of changing expectations for its industry and its agility in navigating new political and market dynamics. In the sections below, I discuss some of the trends I observed across my case studies and reflect on how the soft drink industry is working to ensure the continued relevance of corporate health promotion as a political strategy.

### Phases of corporate health promotion

Each corporate health promotion strategy analysed in my case studies gradually transformed from a relatively weak and uncoordinated set of pledges to a coordinated set of commitments and actions that responded to specific public health policy proposals. In the first case study (Chapter 4), we can observe a transition from an exclusive focus on promoting physical activity<sup>43</sup> and avoiding a discussion about the dietary impacts of soft drink consumption to a more explicit engagement with nutrition education (for example via Coca-Cola Australia's initiatives to educate consumers about the importance of counting

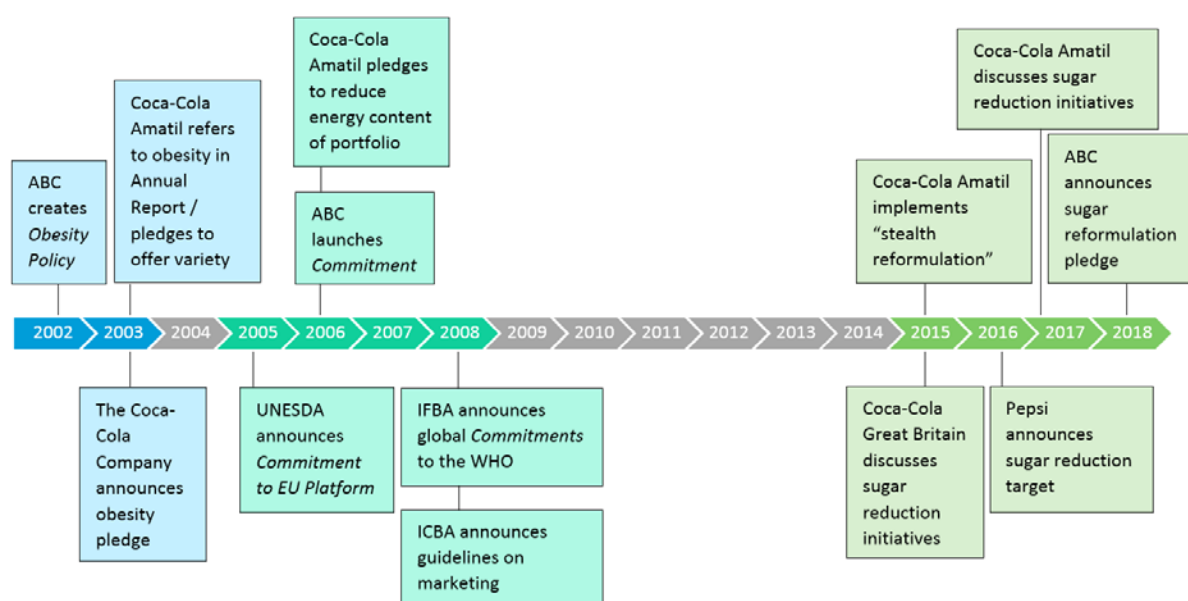
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<sup>43</sup> The soft drink industry's promotion of physical activity as a solution to obesity is well-documented in the literature. See for example Nestle (2015b), Jane and Gibson (2018) and Gertner and Rifkin (2017).

calories). We can also observe a second transition underway towards a more overt discussion of the sugar in soft drinks. In the second case study (Chapter 5), Coca-Cola Australia's reformulation strategy gradually evolved, moving from a phase of increasing choices, to a phase of diluting the portfolio and most recently to an emerging phase of "choice-editing" or "stealth" reformulation (Buttriss 2013; Gibson et al. 2017). This transformation was cumulative, as each phase of reformulation incorporated new initiatives but did not replace existing initiatives. In the third case study (Chapter 6), we can similarly observe a transition from a strategy of contesting the health harms of soft drinks to the formation of voluntary commitments that presented the industry as part of the solution. We can also witness a progressive strengthening of the industry's self-regulation, evidenced by the reports, audits and research that the industry funded to support its policy positions.

Considering the three case studies together, we can observe that some of the transitions clustered around similar time periods. Moreover, while the corporate health promotion strategies that I analysed in this thesis are specific to the Australian soft drink industry, similar patterns in the evolution of the soft drink industry's corporate health promotion are apparent internationally. Figure 21 shows these phases of corporate health promotion with examples of soft drink industry initiatives from my Australian case studies and from overseas.

Figure 21: Phases of corporate health promotion



Around 2002-2003, the Australian soft drink industry began to acknowledge the political importance of obesity to its industry, demonstrated by the ABC's development of its first obesity strategy (Chapter 6) and Coca-Cola's first acknowledgement of obesity in an Annual Report (Chapter 5). Obesity also ascended on the agendas of American packaged food and beverage companies around this time, with both Kraft and Coca-Cola launching CSR pledges in the United States in 2003 (Darmon, Fitzpatrick & Bronstein 2008; Mello, Pomeranz & Moran 2008).

The period from 2006-2008 saw the global ascent of collective corporate health promotion initiatives in the packaged food and beverage industry, with national food and beverage associations in Europe, Canada, Australia, the United States, South Africa and Brazil launching pledges (Hawkes & Harris 2011). It also saw the emergence of a global packaged food and beverage industry coalition with the International Food and Beverage Alliance (IFBA). Beverage associations led this transition, with the Union of European Beverage Associations launching a regional obesity commitment in the EU in 2005 (Hawkes & Harris 2011). This was followed in 2006 by the ABC's launch of the *Commitment* in Australia and Coca-Cola, PepsiCo and Dr Pepper-Snapple's launch of the Alliance for a Healthier Generation in the United States (Hawkes & Harris 2011; Mello, Pomeranz & Moran 2008). Coca-Cola and Pepsi rolled out calorie labelling globally during this period, signifying their move to engage more with dietary advice and not only physical activity (Yach et al. 2010).

Lastly, we can observe a new phase emerging around 2015, with a shift in how Coca-Cola and leading beverage companies publicly discuss sugar and the launch of stronger and more specific reformulation pledges. This is exemplified in Coca-Cola Great Britain's campaign that overtly discussed the sugar in its products in 2015, PepsiCo's announcement of a global sugar reduction target in 2016 and the Australian Beverages Council's announcement of a 20 percent sugar reduction pledge in 2018 (Coca-Cola Great Britain 2016a; Dalzell 2018; Reuters 2016).

If we consider the timing of the soft drink industry's different phases of corporate health promotion, we can observe that they frequently align with developments in Australian or global food and nutrition policy. In 2000, for example, the World Health Organization declared obesity an epidemic, and in 2001 the WHO began holding consultations with expert groups for the development of its *Global Strategy on*

*Diet, physical activity and Health* (Waxman 2004; World Health Organization 2000). These initiatives pushed obesity onto the global stage and likely played a role in prompting the soft drink industry (as well as the packaged food and beverage industry) to begin engaging with corporate health promotion. Events in Australia and internationally during the second phase likely played a similar role. As discussed in Chapter 6, the ABC chose to launch its first *Commitment* in the week preceding the 10<sup>th</sup> Annual International Congress on Obesity held in Sydney that year. Similarly, the IFBA and ICBA launched their pledges during the 2008 World Health Assembly where world leaders were planning to discuss the issue of marketing to children (see Chapter 6 and World Health Organization (2008)). Lastly, the more recent ascent of “stealth” reformulation and statements about industry efforts to reduce the sugar levels in beverages parallel the global emergence of taxes on sugary drinks, front-of-pack labels identifying sugar content in some countries and anti-sugar movements in Australia and overseas (Gibson et al. 2017; Rethink Sugary Drink 2016; World Cancer Research Fund 2015, 2018). The alignment between the evolution of corporate health promotion strategies and developments in nutrition policy illustrates the responsiveness of the soft drink industry to its policy environment. It also suggests that corporate health promotions strategies will continue to evolve and adapt in the future.

This analysis complements previous research analysing how and when obesity emerged on the political agendas of the packaged food and beverage industry and points to some of the insights that can be gained from analysis of food industry reports and web archives (Nixon et al. 2015; Scott & Nixon 2017). While the soft drink industry has transformed some of the health and nutritional elements of its corporate health promotion strategies, the political dimensions of the strategies (discussed in my case studies and in the second section of this chapter) remain consistent. This suggests that improvements to the nutritional environment are subordinate to political aims: the fundamental objective of corporate health promotion is to shape the political environment in the soft drink industry’s favour.

### Ensuring the continued relevance of corporate health promotion

The transformations in my case studies demonstrate that as the food and nutrition policy environment evolves, the packaged food and beverage industry’s corporate health promotion strategies will continue to evolve and adapt. By analysing some of the patterns in how the soft drink industry’s corporate health

promotion strategies have changed, we can identify strategic strengths and weaknesses of corporate health promotion initiatives.

One pattern reflects the back-and-forth relationship between corporate health promotion and public health policy. The soft drink industry's corporate health promotion strategies progressively evolved to incorporate and accommodate more of the demands from public health organisations about how the private sector can help to address obesity (for instance by using “stealth” reformulation strategies). We can also observe a parallel strengthening and increasing specificity in the “asks” of public health organisations to the private sector. While the WHO's 2004 *Global Strategy on Diet, Physical Activity and Health* outlined general actions for the private sector to take, such as “promote healthy diets” and “provide consumers with adequate and understandable product and nutrition information,” public health organisations have become more specific in the actions they now demand from the private sector, for instance by establishing specific reformulation targets or policy recommendations for sugar (Gibson et al. 2017; Webster et al. 2014; World Cancer Research Fund 2015; World Health Organization 2004). We can observe a cycle of industry corporate health promotion initiatives responding to public health demands and public health organisations progressively revising their demands. This dynamic is exemplified in the WHO's development of global sugar guidelines, the soft drink industry's opposition to the WHO's sugar guidelines, the launch of the WHO's 2015 recommendation to limit sugar consumption, and Coca-Cola's recent pledge to “support” the WHO's sugar recommendation (Moye 2017; Waxman 2004; World Health Organization 2015). Moreover, the soft drink industry's alleged support for the WHO's guidelines signals a transition from an oppositional response to a more accommodating and mollifying response.

A second pattern concerns the relative dynamism or stasis of corporate health promotion initiatives. Contrasting the soft drink industry's initiatives for front-of-pack labelling and reformulation (discussed in Chapters 4 and 5), we can observe that the industry's calorie labelling has remained relatively unchanged since its inception, whereas its reformulation programs have expanded dramatically. This pattern is replicated globally, with somewhat static voluntary labelling initiatives (usually involving an energy or calorie icon alone for the soft drink industry, and a variation on the Daily Intake Guide for the packaged food industry) and far more dynamic changes taking place with reformulation (Bix et al. 2015; Scrinis

2016; Scrinis & Parker 2016). On the one hand, this could signal an unwillingness on the part of industry to budge on nutrition labelling (the soft drink industry has been unwilling to voluntarily disclose the sugar content of its beverages unless it is advertising the absence of sugar, e.g. through the claim “zero sugar”). This inertia can backfire, as demonstrated with the advent of government-led and sometimes mandatory nutrition labels (such as the multiple traffic light in the UK, Ecuador and Bolivia and the black stop sign in Chile) (Freire et al. 2017; Robles-Valcarcel 2017; Scarborough et al. 2015). In contrast, the absence of mandatory reformulation targets in most countries suggests that the packaged food and beverage industry’s more dynamic reformulation initiatives helped to diffuse pressure for regulation. This illustrates how the ability to demonstrate continual progress helps corporate health promotion to accommodate and pacify public health pressure for action. In Australia, the soft drink industry has been generally successful in holding off regulation, although the recent call by the Food Regulation Standing Committee in Australia for submissions to a proposal for Labelling of Sugar on Foods and Drinks may challenge the industry’s policy pre-emption strategy (Food Regulation Secretariat 2018).

We can also observe a divide between corporate health promotion strategies that tend to be collective and those that are pursued individually. Whereas the packaged food and beverage industry has developed joint pledges in the areas of labelling and marketing to children, other areas of corporate health promotion remain more fragmented. There are multiple examples of national and industry-wide commitments on marketing to children and front-of-pack labelling (Dean et al. 2015; Ronit & Jensen 2014). As noted in Chapter 6, the Australian and New Zealand soft drink industry worked to develop a joint labelling initiative. Moreover, while the International Food and Beverage Alliance made five commitments to the WHO, it has only developed a global policy for marketing to children (International Food and Beverage Alliance 2017a). In contrast to the collaborative industry pledges on labelling and marketing to children, reformulation pledges have tended to be company or industry specific, and sport sponsorship and nutrition education initiatives are similarly piecemeal (International Food and Beverage Alliance 2017a). In this context, the soft drink industry’s recent pledges to set industry-wide reformulation targets have broken precedent (Dalzell 2018; Ligné 2017). As the soft drink industry faces a growing threat of sugary drink taxes, it needs to ensure the continued legitimacy and relevance of its corporate health promotion initiatives. Although multi-company or industry pledges require greater coordination, they also provide

greater political legitimacy (Jensen & Ronit 2015b). The absence of globally coordinated corporate health promotion initiatives in other areas indicates that, thus far, no credible regulatory threat has emerged on the global stage that requires a unified response from the packaged food and beverage industry.

Lastly, we can observe that the political pressure to use corporate health promotion differs between countries and companies. The growing momentum for sugary drink taxes disproportionately impacts the soft drink industry, albeit different companies are more or less exposed according to their portfolio makeup (Credit Suisse 2013; World Cancer Research Fund 2018). While sugary drink taxes present financial risks for the soft drink industry, they also diminish some of the political benefits of corporate health promotion for the industry. When sugary drink taxes are designed to encourage product reformulation, they essentially overrule the benevolent, public relations aspect of voluntary sugary drink reformulation, as reformulation is then perceived to be a response to the threat of taxation (Hagenaars, Jeurissen & Klazinga 2017; World Cancer Research Fund 2018; World Health Organization 2016). Sugary drink taxes also raise public awareness of the health harms of sugary drinks, which can further erode the public image of the soft drink industry (World Cancer Research Fund 2018). Already, we can observe that the soft drink industry is learning to respond to proposals for sugary drink taxes and adapting its political response strategy. Whereas early response strategies focused on lobbying and other oppositional political strategies, the soft drink industry is now also adopting a more conciliatory approach and providing voluntary alternatives (Baker 2017; Baker, Jones & Thow 2018; Michail 2018; Nestle 2015b). Whether sugary drink taxes provoke the launch of a global corporate health promotion pledge from the soft drink industry remains to be seen.

To summarise, my analysis of the transformations and adaptations of the soft drink industry's corporate health promotion strategies reveals two insights. First, corporate health promotion strategies have become significantly more rigorous and comprehensive since their inception. They have grown in scale and scope and have progressively incorporated public health demands. And second, corporate health promotion is a long-term political strategy. The soft drink industry's struggle to ensure the political relevance of its corporate health promotion is continuous and unrelenting.

## The political dimensions of corporate health promotion

In addition to their adaptation trajectories, my case studies also shared political characteristics. While each of my case studies exhibits unique political characteristics and nuances, I found four political dimensions that are shared across my case studies. First, corporate health promotion minimises corporate accountability for obesity. Second, corporate health promotion diminishes the threat of mandatory regulation. Third, corporate health promotion improves the public image of corporations. And fourth, corporate health promotion fosters relationships with public health and government stakeholders. Moreover, these four political dimensions coexist, amplifying the overall political influence of corporate health promotion. I elaborate on each of these political dimensions below.

### Minimising corporate accountability

Each of the soft drink industry's corporate health promotion strategies that I analysed in this thesis sought to minimise the accountability of the industry for obesity, albeit they attempted this via different methods. One aspect of this strategy was to diminish the perception that consumption of sugary drinks was to blame for obesity. Both of Coca-Cola Australia's initiatives to educate consumers about calorie counting (Chapter 4) and to reduce the calorie and sugar content of its portfolio (Chapter 5) sought to challenge the belief that sugary drinks were of poor nutritional quality—either through distracting from the levels of sugar in soft drinks or by reducing the “negative nutrients” in soft drinks (Scrinis & Monteiro 2018). The ABC funded research to show that soft drink consumption was declining (Chapter 6), which it used to argue that the category should not be held responsible for obesity. While the strategies I examined are specific to the soft drink industry, the general principle of deflecting attention from the health harms of processed foods can be seen in other industries. Product reformulation is seen across the market leaders of the packaged food and beverage industry (Access to Nutrition Index 2018; Sacks & Robinson 2018; Savio et al. 2013). Similarly, other packaged food and beverage companies have developed nutrient profiling schemes that they use to evaluate the healthfulness of their products (Brinsden & Lobstein 2013; Lehmann et al. 2017). These industry-developed nutrient profiling schemes and reformulation initiatives have been criticised as being far weaker than public-health evaluations (Kunkel et al. 2014; Monteiro & Cannon 2012; Scrinis & Monteiro 2018). Nonetheless, their existence

influences how the healthfulness of sugary drinks is evaluated. McKee and Stuckler (2018) raise similar concerns about how industry control of the media allows corporations to control the narrative about the determinants of health. The corporate health promotion strategies analysed in this thesis highlight a further discursive strategy used by the soft drink industry to shape the public conversation about obesity.

Some of the soft drink industry's efforts to diffuse blame for obesity are more unique to its industry. A reoccurring argument from the soft drink industry was that sugary drinks should not be singled out as the leading cause of obesity, but rather blame for obesity should be shared equally among all food products. We can see examples of this argument across my three case studies as well as in international studies of the soft drink industry's discursive responses to obesity (Nestle 2015b; Nixon et al. 2015). Rather than dispute the health harms of soft drinks, this strategy seeks to redistribute the blame currently facing the soft drink industry amongst the rest of the packaged and fast food industry. This approach parallels the response of McDonalds in the early 2000s when a series of public lawsuits and Morgan Spurlock's award-winning film "Super Size Me" singled out the industry for its contribution to obesity (Lawrence 2004; Mello, Rimm & Studdert 2003; Spurlock et al. 2004). As public and policy attention has shifted from McDonalds to Coca-Cola and the soft drink industry, the soft drink industry is replicating the fast food industry's earlier attempts to diffuse the blame placed on its industry. This tactic of diffusing attention from soft drinks also manifests in policy debates. Internal Coca-Cola documents released by DCLeaks show that a key tactic used to oppose sugary drink taxes is to propose widening the scope to all sugary foods (Pfister 2016). While this tactic of diffusion may help the specific industry or company under threat, it also risks antagonising other industry stakeholders (as occurred in Mexico when the soft drink industry proposed widening the sugary drink tax to all foods) (Rosenberg 2015).

The soft drink industry's efforts to minimise accountability also manifest in its efforts to avoid taking responsibility for solutions to address obesity. While the soft drink industry frames its corporate health promotion initiatives as evidence of its capacity to be part of the solution to obesity, as I discussed in the previous section, these initiatives frequently result in incremental changes to the business status quo (Porter & Ronit 2006). The promotion of product reformulation (especially the development of new, "simple swaps") tacitly limits the role of the soft drink industry in obesity prevention to research and

development—practices that are already integral to its business. By strategically limiting the scope of corporate change, corporate health promotion supports the soft drink industry’s more controversial messages of personal responsibility and consumer freedom that more overtly oppose public health arguments for government regulation (Dorfman et al. 2012). The political dimensions of corporate health promotion become clear when we compare them to more overtly oppositional political strategies that share similar objectives. Corporate funded nutrition research has been criticised for deliberately distorting and confusing the evidence base on sugary drinks and obesity (Bes-Rastrollo et al. 2013; Goldman et al. 2014; Lesser et al. 2007; Moodie et al. 2013; Mozaffarian 2017). While Coca-Cola framed its calorie labelling as a benevolent initiative aimed at educating consumers about the nutritional qualities of soft drinks, the result was a nutritional narrative that conflicted and competed with public health initiatives. From this perspective, corporate nutrition education and product reformulation serve to camouflage the soft drink industry’s political objective to minimise corporate accountability.

### Diminishing the threat of mandatory regulation

Corporate health promotion seeks to diminish the threat of unwanted regulation in two ways. By rolling out front-of-pack calorie labelling and reducing the sugar content of its beverages, the soft drink industry is working to circumvent the need for government regulation of its industry, a practice seen more generally across the packaged food and beverage industry (Clapp & Scrinis 2017; Monteiro & Cannon 2012; Scott, Hawkins & Knai 2016). In positioning corporate health promotion as a policy alternative, the soft drink industry performs a balancing act. The policy needs to go far enough to demonstrate a sufficient change, but it also needs to leave scope for improvements. Demonstrating progress and gradual improvements was seen to be an important aspect of each of the corporate health promotion strategies that I examined. In the case of its initiatives to provide nutrition information and education, Coca-Cola gradually rolled out its calorie labelling in more places (beginning with front-of-package labels and then extending it to vending machines). Similarly, its reformulation initiatives increased in scope and changed to include “stealth” reformulation (Buttriss 2013; Gibson et al. 2017). Demonstrating progress is important for the soft drink industry’s claims that its industry as a whole is committed to addressing obesity and can show noticeable change (Hawkes & Harris 2011; Ng, Slining & Popkin 2014). Indeed, the

two peer-reviewed papers funded by the ABC focused on demonstrating the progress made at a population level in shifting consumption patterns away from sugary drinks towards waters, low-sugar beverages and other ostensibly healthier alternatives (Levy & Tapsell 2007; Levy & Shrapnel 2014). This has enabled the soft drink industry to characterise its industry as responsive and to promote the narrative that its industry is adapting to public health demands.

We can also view the development of self-regulation and other corporate nutrition policies as the soft drink industry's attempt to create nutrition policy on its own terms and to demonstrate its capacity to participate in policy development. As documented in my case studies, the soft drink industry has developed various policies on nutrition education and labelling, product reformulation, marketing to children and the sales of beverages in schools. These initiatives are all included in the World Cancer Research Fund's NOURISHING framework, which identifies policy actions to reduce sugar consumption<sup>44</sup> (World Cancer Research Fund 2015). If we compare the soft drink industry's initiatives to those proposed in the NOURISHING framework, industry commitments about pricing strategies are conspicuously absent from the corporate health promotion repertoire, suggesting that policy recommendations for financial levers are more challenging for the industry to co-opt (Hawkes, Jewell & Allen 2013). An additional possibility is that the soft drink industry does not want to initiate a conversation about the possibility of using financial levers (such as taxes) as part of a policy package to address obesity. As noted by Kingdon (1995), while interest groups can help issues ascend policy agendas, they cannot always control the direction the debate takes. The ABC's use of lobbying to prevent sugary drinks from becoming a topic of parliamentary debate suggests that the Australian soft drink industry is uncertain of its ability to shape a public debate on this issue in its favour (Han 2017). In this sense, we can see corporate health promotion as strategically circumscribing the boundaries of the policy debate, and only raising for consideration issues that are innocuous to the industry, or that the industry feels confident it can manage.

Lastly, I noted in Chapter 6 that, while the soft drink industry frequently used self-regulation to pre-empt unwanted policy proposals, this political strategy requires constant vigilance, as the nutrition policy

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<sup>44</sup> See Chapter 1 *The Regulators* for a discussion of the NOURISHING framework's policies to curb sugar consumption.

landscape is dynamic and evolving. The soft drink industry faces different and changing levels of support for and contestation of its corporate health promotion initiatives. The Australian soft drink industry (and the Australian packaged food industry more generally) has faced numerous criticisms of its Daily Intake Guide labelling system (Carter et al. 2013; Kelly et al. 2009; Watson et al. 2013; Watson et al. 2014). Criticism of food industry labelling initiatives is also seen overseas (Brownell & Koplan 2011; Hawley et al. 2013; Maubach, Hoek & Mather 2014). In contrast, reformulation initiatives have received greater public health support, especially “stealth” reformulations that do not require consumer behaviour change (Buttriss 2013; Luger et al. 2018; Public Health England 2015). One explanation for the differing levels of support is the degree to which the public health community has progressed in developing its own policy options. The field of front-of-pack labelling has numerous, evidence-based policy precedents, most recently the traffic light system in the UK, Ecuador and Bolivia and the black stop sign in Chile (Corvalán et al. 2013; Robles-Valcarcel 2017; Scarborough et al. 2015). In contrast, government-led reformulation policies have a patchier implementation record, especially for sugar (Gibson et al. 2017; Traill et al. 2012; Webster et al. 2014). As evidence builds for government-led reformulation policies, the soft drink industry may struggle to justify industry-led alternatives. Moreover, in some cases, industry itself is setting new reformulation precedents. The UK soft drink industry, for example, saw rapid levels of reformulation leading up to the 2018 sugary drink levy (Martyn-Hemphill 2018). This rapid reformulation creates a precedent for public health advocates to argue that similar changes could be achieved in Australia (or elsewhere), and that the Australian soft drink industry is unnecessarily procrastinating.

### Improving corporate public image

The public relations dimension of corporate health promotion becomes evident when we observe the industry’s widespread publicising of its initiatives. While some of the industry’s initiatives are inherently visible, such as Coca-Cola’s roll out of calorie labelling on front-of-packages and vending machines, the soft drink industry has taken steps to ensure that its other health promoting initiatives are publicly documented and shared. Both Coca-Cola Australia and the ABC have created dedicated webpages to share their corporate health promotion initiatives with the wider public, a practice seen across the Australian and international food industry (Dorfman et al. 2012; Herrick 2009; Richards et al. 2015).

Moreover, the increasing number of pages in Coca-Cola Amatil's Sustainability Reports devoted to reporting on the industry's health initiatives reflects the growing importance of health CSR for the company. Media stories frequently accompany the launch of new initiatives or reformulated products (Scott & Nixon 2017). While "stealth" reformulation is an exception to this, we are beginning to see retrospective announcements of the industry's "stealth" reformulation activities (Buttriss 2013; Coca-Cola Amatil 2017b; Gibson et al. 2017). These corporate public relations strategies often result in favourable media coverage of corporate health promotion (Weishaar et al. 2016). This illustrates the potential for corporate health promotion to influence the portrayal of the soft drink industry in the media, which in turn can influence the willingness of policy makers to collaborate with the industry (Smith et al. 2016; Weishaar et al. 2016).

Corporate health promotion is also designed to deflect criticism aimed at the soft drink industry. This aspect of corporate health promotion was explicitly noted by the ABC in its reflection on the launch of the *Commitments* and similarly by the International Council of Beverage Associations during the 2008 World Health Assembly (Chapter 6). The development of nutrition labelling, product reformulation and other corporate health promotion initiatives similarly create the opportunity for the packaged food industry to counter public health criticisms of the industry with the argument that the industry is actively working to be "part of the solution" (Jenkin, Signal & Thomson 2011; Nixon et al. 2015). The packaged food industry also makes the argument that its corporate health promotion initiatives are fulfilling the requirements set out by public health organisations for the private sector. The International Food and Beverage Alliance's commitments, for example, directly responded to initiatives that the WHO had proposed for the private sector (Sacks et al. 2015; Yach et al. 2010). Under these circumstances, the food or beverage company is often applauded for creating an initiative where previously there was none—such as the American beverage industry's development of school beverage guidelines. However, analysis of the policy process shows that the policy gap was also a product of industry efforts to block public health policies that it perceived as threatening to its business interests (Nestle 2015b). This serves as a reminder that alongside the soft drink industry's publicised corporate health promotion strategies, it is also engaging in other oppositional strategies that it does not publicise.

## Fostering relationships with public health and government stakeholders

A final political dimension of corporate health promotion is its capacity to foster relationships with key stakeholders (Jane & Gibson 2018; Panjwani & Caraher 2014). In each of my case studies, we can see examples of how the soft drink industry used its corporate health promotion strategies to initiate relationships with public health and government stakeholders. A key aspect of this strategy was recruiting public health and nutrition professionals to serve as advisors or to conduct research for the industry (for example via Coca-Cola's development of the Nutrition Advisory Council or the ABC's recruitment of nutrition academics to conduct research of beverage consumption patterns in Australia) (Chapters 4 and 6). These individuals provide professional expertise and can serve as liaisons for the soft drink industry between industry and health communities, similar to the benefits of the revolving door (Freudenberg 2014; Nestle 2015b; Serôdio, McKee & Stuckler 2018).

In addition to reaching out to health professionals and academics, the soft drink industry also reached out to organisations. The ABC collaborated with Food and Nutrition Australia by inviting them to industry conferences and hiring them to conduct audits of their self-regulation (Chapter 6). Similarly, the ABC funded research conducted by CSIRO and Coca-Cola has hired Nutrition Australia to assess its product portfolio against the state traffic light ranking systems used in schools, hospitals and work places (Chapters 4 and 6). These projects work to build professional relationships between the soft drink industry and public health organisations, which in turn gives corporations access to expertise networks (Freudenberg 2014). We can see examples of this strategy internationally, with both PepsiCo and Coca-Cola sponsoring the Academy of Nutrition and Dietetics in the United States (Nestle 2015b; Simon 2013). The rise of public-private-partnerships more generally provides the packaged food and beverage industry with access to public health and government stakeholders (Durand et al. 2015; Hawkes & Buse 2011; Kraak et al. 2012).

In addition to fostering relationships with nutrition and public health professionals and organisations, the soft drink industry has also used corporate health promotion to build connections with government stakeholders. For example, the ABC used the development of its *Commitment* as an opportunity to reach out to government stakeholders for feedback on the development of its policy. As noted in Chapter 6,

there are relatively few case studies of the development of food industry self-regulation, thus there is little examination of whether the packaged food industry similarly requests feedback from government stakeholders during the development of its voluntary commitments. Nestle's (2015b) analysis of the development of school beverage guidelines and restrictions on marketing to children provides an international example of how the soft drink industry's development of self-regulation facilitated its access to the policy process. A recent UK study found that Coca-Cola Great Britain commissioned UK Active to evaluate a corporate health promotion initiative, which led to Coca-Cola Great Britain becoming a member of the organisation, gaining access to government policy makers and amplifying its lobbying capacity (Jane & Gibson 2018). While previous research of food industry self-regulation has focused on its potential to delay or undermine the development of public health policies (Mialon, Swinburn & Sacks 2015; Sharma, Teret & Brownell 2010), attention to the development of self-regulation reveals an additional political dimension of corporate health promotion. While the launch of public policy can help to generate positive PR for the industry, the development process can help to foster access to policy makers—an important predictor of political influence (Fooks et al. 2011). This shows the value of taking a comprehensive view of the different ways that the development and launch of corporate health promotion initiatives can provide a variety of political benefits for the soft drink industry. Future research into the development of food industry nutrition commitments could examine whether the food industry uses this process as an opportunity to reach out to government and public health stakeholders for input.

## Reinforcing corporate power relations

In the first two sections of this chapter, I have mapped out the contours of the soft drink industry's conciliatory political strategy and examined some of the political benefits that concessions and appeasement offer the industry. I elaborated on two key findings about my case studies: first, that corporate health promotion is evolving and adaptive, and second, that corporate health promotion strategies offer political benefits to the soft drink industry. These findings illuminate some of the political dimensions and consequences of the soft drink industry's conciliatory strategy to position itself as “part of the solution” to obesity. In the below section, I interpret these findings in light of the food studies

scholarship analysing the corporate power of the agrifood industry and its influence on food system governance and environmental sustainability.

Here, I consider my findings in light of the food studies scholarship examining corporate power in the food system and the response of food and beverage companies to environmental and social movements. I assert that not only does corporate health promotion constitute a manifestation of corporate power (see Chapter 2 and the discussion sections of Chapters 4, 5 and 6 for more elaboration), corporate health promotion also makes it easier for the soft drink industry to exercise political power and influence in the future. Unlike oppositional political strategies, which tarnish the reputation of the soft drink industry and foster reciprocal opposition and antagonism from public health advocates, corporate health promotion works to appease and pacify its opposition and in so doing generates a more enabling environment for the exercise of corporate power. Specifically, I argue that the soft drink industry's corporate health promotion initiatives improve the industry's political circumstances and resources by: building the industry's economic resources; maintaining a business-friendly status quo; enabling industry governance of the food system; improving its relationships with influential stakeholders and industry critics; and fragmenting industry opposition. I will also argue that these efforts are not always successful, and I will elaborate on some of the challenges the soft drink industry's conciliatory political strategy faces.

### **Build the industry's economic resources**

One of the more direct political benefits that concessions offer the soft drink industry is their ability to grow the bottom line. As discussed in Chapter 5, product reformulation and portfolio diversification more generally have expanded the soft drink industry's market share and revenue, an economic consequence observed elsewhere in the packaged food and beverage industry (Scrinis 2016). We can observe here parallels with the food industry's response to concerns about its environmental and labour practices. Like nutrition-oriented product reformulation, both organic and Fairtrade products have expanded corporate profits and market share (Belasco 2007; Biénabe, Vermeulen & Bramley 2011; Dobrow 2014; Friedmann 2005; Guthman 1998). On the one hand, the win-win aspect of product reformulation highlights the success of the soft drink industry in commercialising and profiting from public health solutions to obesity. However, the ease with which these profits can be transformed into

political influence underscores the risks that market solutions to public health issues present more generally.

Financial resources underpin and enable many of the soft drink industry's political strategies. We can observe that the ability of corporations to exercise instrumental power to influence political decision making via lobbying is facilitated by their financial resources (Nestle 2015b). Moreover, the contrast between the lobbying and campaign expenditures of the American soft drink industry and public health advocates highlights the resource disparities between these two groups and the advantages that the soft drink industry has in exercising this dimension of power (Paarlberg, Mozaffarian & Micha 2017).

Structural power is likewise facilitated by market resources: larger corporations tend to generate greater tax revenue for governments and employ more voters/constituents, leading to a greater threat of relocation or job loss (Fuchs 2007). The soft drink industry's nutrition initiatives and self-regulation also require financial investments (such as in research and design, monitoring, auditing and reporting). Lastly, the exercise of discursive power is contingent on the communicative capacities of corporations. The soft drink industry's financial resources facilitate widespread advertising campaigns and a vocal online and social media presence. Corporate relationships with and ownership of media outlets further enable the exercise of discursive power (McKee & Stuckler 2018). By highlighting the role of market resources in political strategies, this analysis accentuates the interconnections between a corporation's economic, political and social environments (Levy & Egan 2003; Levy & Newell 2002). The relationship between material resources and the exercise of power also underscores the distinct advantages the private sector holds in exerting political influence relative to less well-resourced public health organisations.

### Maintain a business-friendly status quo

If we consider corporate health promotion as a political strategy not to challenge, but to accommodate public health initiatives, we can observe unmistakable parallels with how the food industry responded to the environmental movement. As discussed in the first section of this chapter, the soft drink industry's changes to its corporate health promotion initiatives progressively incorporated public health demands, albeit a watered-down version. Food studies scholars have analysed the way that powerful food corporations have co-opted the principles and practices of social movements that challenge the business

status quo (Friedmann 2016; Guthman 1998; Jaffee & Howard 2010). Food system researchers argue that the packaged food and beverage industry has developed market-friendly organic and Fairtrade standards that diffuse political pressure for change and water down the principles underpinning alternative proposals (Friedmann 2016; Guthman 1998; Jaffee & Howard 2010). While organic and Fairtrade certifications respond to some of the concerns raised about the poor environmental and labour practices within the food system, they do not require substantial changes to supply chains or production practices.

We can observe a similar co-optation of public health demands occurring between food corporations' responses to public health campaigns and policies for healthier foods and food environments. Like corporate-led Fairtrade and organic certification schemes, the soft drink industry's reformulation efforts have come under scrutiny and face criticism for making minimal changes in order to capture and profit from consumer concerns (Jaffee & Howard 2010; Scrinis 2016). Product reformulation accommodates some of the nutrition community's concerns about sugar consumption while enabling the continued consumption of branded soft drinks. The soft drink industry's initiatives on nutrition education and calorie labelling also circumvent the need for more radical initiatives that impact the availability and affordability of soft drinks. Some of the radical changes feared by the soft drink industry have been intimated in the scholarly literature, where Clapp and Scrinis (2017) note that packaged food and beverage corporations "rarely entertain the notion of removing certain products from their lines altogether" and Fuchs et al. (2016) note that food industry initiatives avert the need for absolute reductions in production and consumption. We can observe that, like the food industry's development of organic and Fairtrade standards, the soft drink industry uses corporate health promotion to diffuse pressure for more radical changes to the production and consumption practices underpinning the current food system.

### Enable industry governance of the food system

The soft drink industry's concessions not only work to sustain the business status quo of the food system, they also enable industry-led governance of the food system. In Chapter 6, I discussed how self-regulation has facilitated corporate participation in nutrition policy development in Australia and internationally. Here too, we can observe parallels between the packaged food and beverage industry's responses to concerns raised about the negative environmental and health externalities arising from the industrial food

system. Indeed, the history of recycling offers an especially close parallel to the corporate health promotion strategies observed in this thesis. In the 1950s, in response to a growing environmental movement and the threat of regulations, the American beverage industry (along with the canning and packaging industries) created the anti-litter organisation Keep America Beautiful<sup>45</sup>—an astroturf organisation that ran public relation campaigns to encourage personal responsibility to reduce waste (Elmore 2015; Jaeger 2018). In addition, it also promoted recycling as the solution to beverage container waste (as opposed to reducing consumption or reusing containers, which environmental NGOs promoted); the soft drink industry also developed classroom education materials about recycling, national campaigns to encourage recycling and ad campaigns to highlight the efforts of the soft drink industry to combat waste (Elmore 2015). Collectively, these efforts led to an individualised solution to corporate-generated waste and embedded the soft drink industry in the development and implementation of recycling programs (Jaeger 2018). We can observe that in response to both environmental and health-focused campaigns, the soft drink industry used a strategy of accommodations to secure control of the political agenda and implemented alternative solutions that eventually became the status quo (Elmore 2015; Jaeger 2018).

The ability of corporate concessions to facilitate corporate governance of the food system reflects a core difference in how oppositional and conciliatory political strategies influence the political environment. Both the threat of job loss or the offer of concessions can delay the advent of unwanted policies, however the two strategies operate in different ways. The threat of job losses essentially punishes regulatory action, whereas the offering of incremental concessions enables regulatory inaction by accommodating some of the public health demands in an industry initiative. We can observe that the continual adaptation and evolution of corporate health promotion strategies facilitate corporate involvement in and control over political agendas. Analysis of industry forestry certification standards describes a similar “ratcheting up” of industry standards and asserts that concessions and accommodations are used to acquire and secure private rule-making power (Bloomfield 2012). The

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<sup>45</sup> The Australian soft drink industry created its own Keep Australia Beautiful astroturf organisation in collaboration with the tobacco industry to promote consumer responsibility for cigarette butt and beverage container litter (Smith & McDaniel 2010).

willingness of the soft drink industry to continually adapt and change its corporate health promotion initiatives suggests that the key issue for the industry is not the debate over what goes into nutrition policies, but rather the debate over who governs nutrition policies.

### Improve its relationships with influential stakeholders and industry critics

Corporate health promotion can also improve the soft drink industry's relationship with influential stakeholders. One example of this is via its relationships with researchers. In each of my case studies, I documented examples where the Australian soft drink industry either funded its own research or provided data and information to nutrition researchers. We can observe that minimal corporate transparency coupled with strong legal protection of commercial property allows the soft drink industry to leverage an information disparity to create and maintain ties with the public health nutrition research community. For example, organisations that monitor corporate health promotion initiatives (such as the Access to Nutrition Index, INFORMAS and the George Institute) often solicit information and data directly from the packaged food and beverage industry (Access to Nutrition Index 2018; Jones, Rådholm & Neal 2018; Sacks & Robinson 2018). These relationships foster the perception that the industry is cooperative and willing to facilitate monitoring of its own initiatives. Relationships with influential stakeholders, especially those in the public health nutrition community, can bolster the legitimacy of the soft drink industry. This is especially important for the exercise of discursive power and rule-making power, both of which are partly contingent on audience receptivity (Clapp & Fuchs 2009b; Fuchs 2005).

We can also observe that the soft drink industry's corporate health promotion initiatives foster direct and indirect connections with political decision makers, which amplifies its instrumental power. In Chapter 6, I explored some of the ways that the Australian soft drink industry sought to acquire and maintain access to political decision makers in Australia; Appendix 7 documents these lobbying activities in more detail.

Previous research of the Australian food industry's political networks found that the packaged food and beverage industry was well-connected politically (Cullerton et al. 2016; Cullerton et al. 2017, 2018).

Multiple political access points are especially important for industries that face exclusion from policy making, such as the tobacco industry (Fooks et al. 2011). As the soft drink industry faces growing scrutiny over its relationships with nutrition researchers and policy-makers, it may use corporate health promotion

to broaden its connections with other stakeholders and expand its network of indirect political connections (Gornall 2015a, 2015b; Nestle 2016a; Serôdio, McKee & Stuckler 2018).

In addition to growing its political allies and connections, corporate health promotion can also help to “silence critics” (Nestle 2015b). For example, in Chapter 6, I noted that the ABC celebrated the strategic timing of its launch of the *Commitments* for pre-empting anticipated criticism of its industry during an obesity conference. Nestle (2015) has noted that industry research funding and philanthropy has the potential to silence industry critics, however this silence is due to the implied threat that industry could withdraw funding should the organisation criticise its business practices. Corporate health promotion can achieve the same political outcome, but via the mechanism of appeasement, not intimidation. The quote from Simon (2006) at the beginning of Chapter 2 about the packaged and fast food industry’s capacity to “mollify” policy makers and critics captures the essence of this strategy.

In some cases, corporate health promotion initiatives have garnered praise from vocal industry critics as well. A striking example of this internationally was the US Center for Science in the Public Interest’s (CSPI) praise for the confectionary company Mars when it announced its support for added sugar labelling (O’Hara 2015). CSPI is an outspoken industry critic that has sued the American soft drink industry for deceptive marketing (Center for Science in the Public Interest 2017). The potential for the soft drink industry’s corporate health promotion strategies to foster approval from industry critics or generate allies for the industry differentiates it from more oppositional political strategies. The possibility that antagonistic political strategies will damage the public reputation of a company is why we often see the soft drink industry’s front groups (such as the American Beverage Association in the United States or the Australian Beverages Council in Australia) take a more oppositional stance, while its members present a conciliatory position (Nixon et al. 2015). Indeed, the absence of oppositional strategies from corporate social responsibility reporting and the industry’s general unwillingness to provide transparency around these strategies indicate that corporations recognise the public backlash these strategies can bring (Ken 2014).

## Fragment industry opposition

At the beginning of this thesis, I noted that public health and government stakeholders were divided in their evaluations of corporate health promotion. Some view these initiatives with suspicion, whereas others are more willing to collaborate with industry and create public-private-partnerships (Hawkes & Buse 2011; Kraak et al. 2012; Scott 2017). In my case studies, we can observe the willingness of some nutrition professionals, academics and research organisations to consult for, collaborate with or accept funding from the Australian soft drink industry. A significant political consequence of these different perspectives on industry collaboration is that the public health community is fragmented in its perception of the packaged food and beverage industry as capable of change and consequently its willingness to work with industry (Cullerton et al. 2018; Herrick 2016a, 2016b; Stuckler & Nestle 2012). The ability of the food industry to fragment or destabilise its opposition has been previously identified as a corporate political activity, however in the CPA literature this practice has been defined as criticism of and opposition to public health positions (Mialon, Swinburn & Sacks 2015; Savell, Gilmore & Fooks 2014). For instance, the Australian food industry has made personal attacks on public health academics and endeavoured to foster antagonism between health professionals working on physical activity and nutrition (Mialon et al. 2017).

I argue that the potential for corporate health promotion to persuade public health advocates to collaborate with industry reveals a further avenue through which the food industry can fragment its opposition. In light of the scholarship on corporate and political power, we can observe that this fragmentation has significant political consequences for the public health nutrition community. The absence of a strong public health alliance has important consequences for political influence, as interest group cohesion is a predictor of political influence (Cullerton et al. 2018; Falkner 2009; Sabatier 1991). The lack of a coordinated public health voice gives the food industry the opportunity to dominate issue framing in the media (World Health Organization 2016). This suggests that in addition to bolstering the political resources of the soft drink industry, corporate health promotion can also diminish the political resources of the soft drink industry's opposition by fragmenting it. This underscores the political hazards of corporate health promotion initiatives more generally: the more that corporate health promotion aligns with public health demands, the more likely it is to foster industry allies. This in turn weakens the ability

of the public health community to form alliances and challenge the power of the packaged food and beverage industry when it pursues oppositional political strategies.

Overall, we can observe that the soft drink industry's corporate health promotion initiatives attempt to stabilise a business-friendly status quo and strengthen the industry's economic and political resources. The current industrial food system is characterised by relatively unfettered growth in the consumption of branded foods and beverages across the globe and uneven government regulation of the food system to tackle poor nutrition (Baker et al. 2018; Igumbor et al. 2012; Lloyd-Williams et al. 2014; Monteiro et al. 2013; Popkin & Hawkes 2016; Roberto et al. 2015). This status quo benefits the economic and political interests of the largest, wealthiest and most concentrated food businesses—so-called “Big Food,” “Big Soda” or “Big Snack” (Carolan 2011; Heffernan, Hendrickson & Gronski 1999; Lang & Heasman 2004b; Winson 2014). We can conclude that the extent to which corporate health promotion fosters inaction serves to benefit the soft drink industry.

## Analysing and challenging corporate political power

In this thesis, I have sought to clarify the different ways that corporate health promotion strategies exert political influence and the benefits that they deliver to the soft drink industry. An overarching conclusion of this thesis is that, by offering concessions to industry critics and appeasing its opposition, corporate health promotion bolsters the political power and resources of the soft drink industry. In Chapter 1, I noted that the global health community was concerned about its ability to challenge the political power and influence of the private sector (Buse, Tanaka & Hawkes 2017; Hastings 2012; McKee & Stuckler 2018; Moschetti & Taylor 2015; Zoller 2016). In response, several scholars have highlighted the need for public health advocates to expand their knowledge of the political process. In their 2003 paper on public health nutrition and food policy, Caraher and Coveney (2004) acknowledge the need for greater political engagement from the public health nutrition community and argue that nutrition advocates must “move away from the emphasis on the consumer and to build on the experience of alliances and lobbying.”

Other nutrition policy researchers highlight the need for the public health nutrition community to expand its relationships, alliances and lobbying skills as well as its understanding of the dynamics of policy making

to counter the influence of the food industry (Baker et al. 2017; Baker et al. 2018; Baker, Jones & Thow 2018; Cullerton et al. 2016; Cullerton et al. 2017, 2018; Harris et al. 2017; Thow et al. 2011).

Moreover, several scholars note that the food industry is vastly more resourced than its public health opposition, which necessitates a more creative approach to political advocacy. In the conclusion to *Soda Politics*, Nestle (2015b, p. 403) notes that public health advocates lack the financial resources that the soft drink industry brings to the table, which necessitates “smarter methods for using the political process.” Lang and Rayner (2012, p. 2) argue that “public health advocacy...requires a political savvy not reflected in the mantras of evidence-based policy.” Similarly, Hastings (2012, p. 3) urges public health advocates to “revitalise” their discipline and “regain political leverage” in order to combat the commercial determinants of health. The consensus is that challenging the power of the soft drink industry requires a level of political perspicacity sometimes absent from public health nutrition advocates and researchers.

In light of these admonitions for public health nutrition advocates to regain political leverage, I would like to conclude this discussion by highlighting some possible avenues to help recognise and challenge the political power of the soft drink industry. As noted in this thesis and elsewhere (see Fooks et al. (2013) and Fuchs (2005)), corporate public reputations are both an important political asset that facilitate political influence and also a source of vulnerability. As part of their strategy to diminish the political influence of the tobacco industry, public health advocates sought to reduce public acceptance and tolerance of the tobacco industry—in effect “denormalising” or “[spoiling] the identity” of the tobacco industry (Chapman & Freeman 2008). Public health nutrition advocates have pursued a similar strategy and sought to publicise the packaged food and beverage industry’s oppositional political strategies to reveal corporate intentions and denormalise the industry (Dorfman et al. 2012). This thesis complements these efforts by analysing the political dimensions and consequences of the soft drink industry’s conciliatory political strategies.

This thesis complements existing studies of corporate health promotion as well as ongoing efforts to monitor and benchmark the packaged food and beverage industry’s progress in meeting its pledges and commitments to improve the quality of its food and beverage portfolios (for example ATNI or INFORMAS) (Access to Nutrition Index 2018; Sacks et al. 2013). These evaluations of industry progress

focus on nutritional metrics, such as reduction of key nutrients across product portfolios, the implementation of nutrition labelling and use of nutrient profiling schemes to restrict marketing to children (Access to Nutrition Index 2018; Neal et al. 2013; Sacks & Robinson 2018; Sacks et al. 2013). These benchmarks and reports offer important insights into how the packaged food and beverage industry is responding to obesity and changing its portfolios and business practices in response to pressure from governments and public health stakeholders. Analysis of the political dimensions and consequences of corporate health promotion necessitates a level of critical interpretation and is often beyond the scope of large-scale monitoring projects such as ATNI or INFORMAS. This thesis, like other studies of the politics of corporate health promotion (see Chapter 2 *The political dimensions of corporate health promotion*), complements these monitoring initiatives by offering further interpretation and analysis of the political characteristics of the industry's health promotion initiatives.

My analysis also emphasises some of the political risks of corporate health promotion. In the previous section, I explored some of the ways that corporate health promotion amplifies the soft drink industry's political resources, such as growing its economic resources and improving its relationships with government and public health stakeholders. We can observe that corporate health promotion helps the soft drink industry to amass political power—power that it can exercise to support additional health promotion strategies, or power that it can exercise to resist and oppose public health interventions that it perceives as threatening to its business interests. By analysing some of the ways that the soft drink industry's conciliatory political strategies can amplify or facilitate its oppositional strategies, this thesis contributes to the growing body of scholarship analysing and monitoring the corporate political strategies of the packaged food and beverage industry (Mialon & Mialon 2017; Mialon et al. 2016a, 2016b, 2017; Mialon, Swinburn & Sacks 2015; Mialon et al. 2016c; Tselengidis & Östergren 2018). Future research could explore some of the other ways that different political strategies can intersect and amplify one another. For example, the development of self-regulation can help the soft drink industry to connect with government and public health stakeholders, which enables its lobbying strategy (see Chapter 6 for more details).

This analysis builds on and responds to Clapp and Fuchs' (2009b, p. 290) analysis of the "importance of the structural context" that enables or disables the exercise of corporate power. In this chapter, I have elaborated on how corporate health promotion helps the soft drink industry to improve its political circumstances and amplify its political resources (for example, by normalising industry participation in nutrition governance or by maintaining a business-friendly status quo). This also illustrates one of the key differences between the soft drink industry's oppositional and conciliatory political strategies: conciliatory strategies are more likely to facilitate appeasement and a receptive political environment, whereas oppositional strategies are more likely to foster antagonism and an adverse political environment. For example, the soft drink industry's funding of research on exercise and energy balance has tarnished its public reputation and led to the loss of many relationships with public health researchers and organisations (Barlow et al. 2018; Clapp & Scrinis 2017; Gertner & Rifkin 2017; Serôdio, McKee & Stuckler 2018). More broadly, this illustrates the divergent political consequences that conciliatory and oppositional strategies can lead to for the soft drink industry.

Lastly, in addition to recognising the political dimensions and consequences of corporate health promotion, I would like to propose a potential "point of leverage" to challenge the political power of the food industry (Drahos & Tansey 2008; Sell 2009). At the end of the previous section, I observed that corporate health promotion has the potential to weaken public health alliances. There are also signs that the food industry itself is not unified in its response to obesity or other social and environmental issues. Fragmentations in the US food industry over added sugar and GMO (genetically modified organisms) labelling reveal that some issues are capable of dividing the food industry (Nestle 2016b; Watson 2017). In the United States, for example, several global food companies have dropped their membership of the Grocery Manufacturer's Association (the national trade association for packaged food companies) including Kraft Heinz, Dow Dupont, Hershey, Cargill, Tyson, Unilever, Mars, Campbell Soup, Nestlé and Dean Foods (Nestle 2018). Divisions between food companies who are willing to accommodate consumer demands (such as for GMO or sugar labelling) and those who are unwilling to change are a likely source of this fragmentation. The CEO of Campbell Soup stated that, "at times, we find ourselves with philosophical differences with many of our peers in the food industry on important issues...and our trade association" (Bottemiller Evich & Boudreau 2017). In Chapter 4, we observed that the Australian

soft drink industry as well as its global counterparts are (thus far) unwilling to voluntarily disclose the sugar content on their front-of-pack labels. GMO and added sugar labelling may present opportunities to fragment industry alliances on these issues, a significant source of political influence and power (Falkner 2008, 2009).

Further, we can speculate that there may be a willingness amongst packaged food companies to accept a narrower public health advocacy target of sugary drinks to avoid a more comprehensive scope that focuses on sugary foods or ultra-processed foods. As noted earlier in this chapter, when Mexico first proposed a tax on sugary drinks, the soft drink industry proposed expanding the tax from sugary drinks to all sugary foods (Rosenberg 2015), a strategy that it has also adopted in other countries (Pfister 2016). According to one report, the Mexican food industry was so “furious” that the soft drink industry dropped the proposal (Rosenberg 2015). Sugary drinks have also been singled out by corporate shareholders. In the conclusion of *Soda Politics*, Nestle (2015b) noted that some of PepsiCo’s shareholders had proposed separating the more profitable snack division from the struggling beverage division of PepsiCo’s portfolio (Stanford 2014). The public health community could use these issues to deliberately isolate the soft drink industry as a political counter-strategy.

While the economic disparities between industry and public health stakeholders are immense, as this thesis has shown, the sources and manifestations of political power extend beyond the financial resources of the soft drink industry. The thesis has explored the various forms of power corporate stakeholders exercise to minimise the risk of government regulation and to maintain the sales of their products, and thereby contributes to our understanding of the political dimensions and consequences of corporate health promotion. At a minimum, increased scrutiny of the political activities of the soft drink industry (both oppositional and conciliatory) can help to denormalise and challenge its political activities. Publicising and denormalising the political strategies of the soft drink industry can benefit public health advocates as well as other social movements concerned with the political power and influence of the packaged and fast food industry.

## 8. Conclusion

*To be effective, advocates must understand that soda and other food corporations are willing to spend fortunes to influence political processes. Without anywhere near that kind of funding, it becomes necessary to find smarter methods for using the political process to counter soda industry marketing.*

—Nestle (2015b, p. 403)

*When we are interested in power—in studying, acquiring, maintaining, increasing, reducing or destroying it—what is it that we are interested in?*

*...It is the search for the sources of change—for the access points, the winning coalitions, the pivots, the levers, the bastions, the weak links...by means of which desired social changes may be brought about, or prevented.”*

—Lukes (1986, pp. 1, 15)

## Introduction

This thesis analysed the political dimensions and consequences of the Australian soft drink industry's conciliatory political strategy to position itself as "part of the solution" to obesity. It explored three of the Australian soft drink industry's corporate health promotion initiatives in detail. It also drew on literature analysing corporate power in the food system to interpret and explain the political motives and consequences of these strategies.

In this chapter, I summarise the research aims and questions that guided my analysis of corporate health promotion and how I answered these questions. I then discuss the key contributions of this thesis as well as its limitations. Lastly, I offer suggestions for future research about the political power and influence of the soft drink industry.

## Summary of research aims and questions answered

The aim of this thesis was to analyse the political dimensions and consequences of corporate health promotion. To do this, I examined a case study of the Australian soft drink industry's strategy to position itself as "part of the solution" to obesity. My analysis of this strategy was guided by the following overarching research question: *how and why has the Australian soft drink industry attempted to position itself as "part of the solution" to obesity?* To answer this research question, I examined three embedded case studies of the Australian soft drink industry's corporate health promotion initiatives: the provision of nutrition education and information; product reformulation to reduce the sugar and calories in soft drinks; and the development and promotion of industry self-regulation. These three case studies allowed me to explore three distinct corporate health promotion initiatives that the Australian soft drink industry had pursued as well as the specific opportunities and challenges that these initiatives faced. Each embedded case study was guided by a research sub-question. Below, I set out each research sub-question and discuss how I addressed the question in this thesis. I then discuss how my three case studies helped me to address my overarching research question.

***RQ1.** How and why does the Australian soft drink industry promote nutrition education initiatives that focus on calorie counting?*

In Chapter 4, I addressed **RQ1** and analysed the different forms of nutrition education and information that the Australian Beverages Council and Coca-Cola Australia provided to the Australian public and the content of these initiatives. I drew on studies of issue framing and problem representation to help explain how the soft drink industry's focus on calorie-counting benefited the industry in multiple ways (Bacchi 1999, 2009; Entman 1993; Jenkin, Signal & Thomson 2011; Ken 2014). I found that most initiatives informed consumers about the importance of calorie counting. I also found that the Australian soft drink industry's promotion of calorie counting was underpinned by a set of explicit and implicit assumptions about the nature of the problem, its causes and the allocation of responsibility. I called this corporate strategy the *calorie diversion*, and I argued that it: distracted from consumer awareness about the sugar content of soft drinks; enabled a favourable comparison between soft drinks and other foods and beverages; and allowed the industry to focus on the problem of obesity and downplay other health problems (such as dental caries) which are more strongly associated with sugary drink consumption.

My analysis showed how a narrow focus on calorie counting benefited manufacturers of sugary soft drinks and suggested that other food manufacturers may benefit from a focus on other nutritional characteristics, such as nutrient density. Future research on corporate nutrition education could extend this analysis and explore how and why food and beverage manufacturers promote different nutritional messages. Further, in light of Coca-Cola Australia's more recent campaigns around sugar consumption in Australia, future studies could explore where, when and why the soft drink industry is shifting from a focus on calorie counting to messages about sugar in other countries to analyse patterns and trends. This case study built on previous research of corporate nutrition education, especially Powell (2014, 2015) and Powell and Gard's (2014) analysis of corporate health promotion initiatives in schools.

***RQ2.** How and why does the Australian soft drink industry reformulate sugar-sweetened beverages in response to concerns about calories, sugar and artificial sweeteners?*

In Chapter 5, I addressed **RQ2** and analysed how Coca-Cola Australia's product reformulation practices and communications evolved and changed. I drew on historical analyses of changes in nutritional beliefs about sugars and sweeteners as well as analyses of food industry communications about reformulation to help explain the different factors shaping soft drink reformulation (De la Peña 2010; Mintz 1986; Scott &

Nixon 2017; Scrinis 2013). I showed how the company's explanations of how product reformulation helped to address obesity changed between 2003 and 2017 and incrementally aligned with public health demands. I also showed how the company's rationales for different forms of product reformulation (smaller "portion sizes," "artificial" sweeteners and stevia sweeteners) offered two different narratives: communications directed at consumers and policy makers presented product reformulation as a public health benefit, whereas Coca-Cola Australia's business-facing communications presented product reformulation as a business strategy to grow profits and market share. Further, the company portrayed stevia sweeteners as a natural sweetener that could alleviate consumer concerns about both sugar and artificial sweeteners. My analysis helped to tease out some of the ways that the soft drink industry is seeking to navigate the competing pressures to simultaneously reduce sugar and reduce artificial ingredients in foods and the challenges that it faces. This analysis complemented previous studies of the political dimensions of corporate product reformulation initiatives (Monteiro & Cannon 2012; Scott 2017; Scott, Hawkins & Knai 2016; Scott & Nixon 2017; Scrinis 2016; Scrinis & Monteiro 2018).

***RQ3.** How and why does the Australian soft drink industry develop and promote self-regulation to influence its political environment?*

In Chapter 6, I addressed **RQ3** and analysed the political rationales and practices underpinning the Australian Beverages Council's (ABC) development and promotion of self-regulation in response to obesity. I drew on analyses of non-decision making power to help explain how and why self-regulation delays or pre-empts the development of mandatory regulation (Bachrach & Baratz 1962; Kingdon 1995; Lang, Barling & Caraher 2009; Weiss 1989). Using publicly available web archives of the ABC's websites and other documents published by the association, I showed how the ABC's approach to obesity evolved and changed between 1998 and 2016. I identified early nutrition and obesity policy and strategy documents that the ABC created between 1998 and 2006, and I analysed the rationales for its strategic launch of its *Commitment Addressing Obesity and Other Health and Wellness Issues* in 2006. I also analysed industry-funded research and policy submissions, which showed how the ABC supported its self-regulation following its launch. My analysis contributed to our understanding of the corporate political activity of policy substitution (Mialon, Swinburn & Sacks 2015; Savell, Gilmore & Fooks 2014). It also

revealed the importance of credibility and legitimacy for the ABC's strategy and the different ways that it sought to foster legitimacy for its self-regulation. This case study built on previous case studies of how self-regulation can influence the development of nutrition policy (Brownell & Koplan 2011; Mello, Pomeranz & Moran 2008; Nestle 2015b).

***Overarching research question:*** *How and why has the Australian soft drink industry attempted to position itself as part of the solution to obesity?*

Each of my three case studies provided details about a specific corporate health promotion strategy that the Australian soft drink industry used to position itself as part of the solution to obesity. In Chapter 7, I brought my three cases together and analysed their similarities and differences in terms of how they changed over time as well as the political benefits that they generated for the soft drink industry. I found that we could observe gradual changes to how the soft drink industry communicated and practiced corporate health promotion in each case study. Comparisons between my cases revealed that some of the transformations clustered around similar periods. Moreover, we could observe similar transformations in the corporate health promotion strategies of the global soft drink industry and other food and beverage manufacturers internationally. My case studies and the comparisons between them addressed the *how* component of my overarching research question and helped to map out the scope and evolution of the soft drink industry's corporate health promotion strategies in Australia.

In Chapter 7, I also analysed the shared political dimensions of the Australian soft drink industry's corporate health promotion strategies analysed in my case studies and the political benefits they provided for the industry, specifically: minimising corporate accountability for obesity; diminishing the threat of mandatory regulation; improving corporate public image; and fostering relationships with government and public health stakeholders. In light of these findings, I argued that the political dimensions and consequences of the soft drink industry's conciliatory political strategy improved its political circumstances and resources and made it easier for the soft drink industry to exercise political power and influence in the future. This analysis addressed the *why* component of my overarching research question. It also justified and substantiated the claim made at the beginning of this thesis that, like oppositional political strategies, conciliatory political strategies are fundamentally political.

## Key contributions to literature

This thesis conducted the first case study of the Australian soft drink industry's conciliatory strategy to position itself as "part of the solution" to obesity. As such, it extends and deepens our understanding of the soft drink industry's political strategies in different regions of the world, building on exemplary international studies of the soft drink industry's political strategies, such as Nestle (2015b), Mello, Pomeranz and Moran (2008) and Dorfman et al.'s (2012) analyses. It also provides an Australian counterpart to international case studies of corporate health promotion strategies about: corporate nutrition education (Powell 2014, 2015; Powell & Gard 2014; Simon 2006); voluntary product reformulation (Monteiro & Cannon 2012; Scott 2017; Scott, Hawkins & Knai 2016; Scott & Nixon 2017; Scrinis 2016; Scrinis & Monteiro 2018); and corporate self-regulation (Hawkes & Harris 2011; Mello, Pomeranz & Moran 2008; Nestle 2015b; Sharma, Teret & Brownell 2010).

This thesis also provides an empirical contribution of previously unused data sources, especially the Australian Beverages Council's yearbooks published between 1998 and 2009 and historical website data from the Australian Beverages Council's two websites, which were made publicly available via the not-for-profit digital archives of the Wayback Machine. These yearbooks and archives offer insights into the evolution of corporate responses to obesity and provide access to historical industry obesity policies, media statements and school educational materials. They also provided evidence of industry lobbying activities and aims, which I discussed in Chapter 6 (see also Appendix 7). Web archives of company or industry association websites have not been previously used to analyse the political strategies of the packaged food and beverage industry, and these data sources could be used in the future to analyse how industry initiatives and political strategies evolve and transform over time. I will elaborate on this further in my *Recommendations for Future Research*.

This thesis analysed the evolution of the Australian soft drink industry's corporate health promotion strategies and builds on previous research analysing how and why the packaged food and beverage industry is changing its response to obesity (Nixon et al. 2015; Scott & Nixon 2017). Further, I identified key phases in the evolution of corporate health promotion and broad parallels between my case studies and the international literature analysing the packaged food and beverage industry's corporate health

promotion strategies, which went through similar transformations at similar times. Analysis of industry strategies over a longer timeframe can help us to understand how they are changing. Further, as we observed in Ch 5, market and political pressures are not always aligned, and the Australian soft drink industry's product reformulation initiatives were forced to navigate conflicting demands. Attention to changes in the market and the political contexts in which corporate health promotion is embedded can help to explain why industry strategies are changing. I will elaborate on how my analysis could be built on and extended in my *Recommendations for Future Research*.

This thesis has engaged with several approaches to corporate political power, especially Fuchs' (2005, 2007) corporate power framework. Further, this thesis builds on Fuchs' corporate power framework by proposing a modification to the framework to differentiate between oppositional manifestations of power (characterised by threats and criticisms) and conciliatory manifestations of power (characterised by concessions and promotion of the industry's good behaviour). It also draws on and integrates other analyses of corporate political power and influence that have explored how corporations co-opt the ideas and practices of their opposition to neutralise and pacify corporate opposition (Friedmann 2016; Holt Giménez & Shattuck 2011; Shamir 2004). Drawing on parallels between the soft drink industry's responses to obesity and the food industry's responses to environmental and social movements, I analysed some of the key political benefits that corporate health promotion offers the soft drink industry and how these benefits serve to amplify the political power and influence of the industry. This thesis builds on and contributes to previous public health nutrition studies that have drawn on Fuchs' (2005, 2007) and Clapp and Fuchs' (2009b) corporate power framework or Lukes' (1974) three faces of power (Baker et al. 2017; Battams & Townsend 2018; Brinsden & Lang 2015; Clapp & Scrinis 2017; Madureira Lima & Galea 2018; Pulker et al. 2018). It also demonstrates the value of an interdisciplinary approach to the study of corporate health promotion, especially the insights that can be gained from the literature analysing the consequences of corporate power for food system sustainability.

Lastly, this thesis has analysed some of the strengths and weaknesses of the Australian soft drink industry's political strategy to position itself as "part of the solution" to obesity. My analysis of the political dimensions of corporate health promotion highlights that the potential to appease and pacify

industry critics is a distinguishing characteristic of the conciliatory dimension of corporate power (although this is not always successful). I also argued that the soft drink industry's conciliatory political strategies can fragment industry opposition by fostering goodwill towards corporate initiatives. Previous research about corporate political strategies has identified "opposition fragmentation and destabilization" as a key political strategy, but has primarily focused on oppositional tactics used to foster antagonism between public health stakeholders (Mialon et al. 2017; Mialon, Swinburn & Sacks 2015). This thesis shows how corporate health promotion can improve the political circumstances of the soft drink industry while weakening the political circumstances of its opposition. I also identified challenges that the soft drink industry faces in responding to changing market and political dynamics in each of the case studies, and in Chapter 7, I outlined potential counter-strategies for public health advocates seeking to take on and challenge the political power of the soft drink industry. By analysing how corporate health promotion can improve the political circumstances and resources of the soft drink industry, this thesis contributes to the body of literature analysing corporate political power (see Chapter 2 for a summary of this literature). It also enhances our understanding of the political consequences of corporate health promotion for both the soft drink industry and public health stakeholders that seek to regulate the industry.

## Study limitations

One limitation of this thesis was that my access to industry documents was restricted to publicly available industry documents. Many industry documents are commercially sensitive and confidential, an issue that other researchers of the political strategies of the packaged food and beverage industry have identified (Mialon 2016; Sacks et al. 2013). To address this limitation, I have used website archives to expand the set of industry documents I was able to access and to extend the timeframe of my analysis. I also systematically analysed every webpage of the Australian Beverages Council's and Coca-Cola Australia's current websites to ensure that all potentially relevant information was gathered. I was also limited in my access to government and industry stakeholders. As discussed in Ch 3, government and industry stakeholders declined to participate in interviews for this thesis, a challenge shared with other PhD research projects about the political strategies of the food industry (Baker 2014; Cullerton 2017; Mialon 2016; Reeve 2014; Scott 2017).

This thesis also focused on a case study of a single industry in a single country. This approach allowed for a detailed analysis of the Australian soft drink industry's political strategy to position itself as "part of the solution" to obesity, and builds on previous case studies of the packaged food and beverage industry's corporate health promotion strategies (Ken 2014; Mello, Pomeranz & Moran 2008; Nestle 2015b; Panjwani & Caraher 2014). However, a case study approach also constrains the ability to generalise from my case study to other industries and contexts. Noting these limitations, I have been circumspect in generalising from my findings. Future studies could compare and contrast my case study of the Australian soft drink industry with international studies of the soft drink industry (such as Nestle's (2015b) analysis of the American soft drink industry), or with studies about the corporate health promotion strategies of other packaged food and beverage industry stakeholders.

## Recommendations for future research

The findings arising from this thesis lead me to recommend several directions for future research summarised below.

Future research of the packaged food and beverage industry's responses to obesity (or other NCDs) could analyse the evolution of corporate strategies over a period of time. While longitudinal studies are time-consuming and expensive to conduct, the existence of web archives (such as those accessed for this thesis) present an opportunity to analyse how corporate strategies have changed over time. Further, as many companies created websites in the late 1990s, the time period captured with the Wayback Machine and other web archive initiatives coincides with the ascendance of obesity on the food industry's political agendas. Analysis of company or trade association websites can provide insights into how and when different food industry stakeholders adopted or changed corporate health promotion strategies. This can also help to explain how companies respond to and anticipate market or political threats (for instance, how does the soft drink industry's response strategy change when sugary drink taxes or warning labels about sugar content are proposed?). This approach can also be used to contrast how the packaged food and beverage industry's approach to obesity differs between countries or companies. While the amount of information available on industry websites is likely to differ between countries (in her thesis, Mialon

(2016) noted that food companies in low-income countries had patchy information on their websites), where available, analysis of historical web archives can augment existing data sources.

My second recommendation concerns research about the political power and influence of the packaged food and beverage industry: future research could analyse the role of corporate health promotion strategies in interest group cohesion and fragmentation. In Chapter 7, I noted that some issues (especially GMO and added sugar labelling in the United States as well as the soft drink industry's counter proposals for a sugar tax (not a sugary drink tax)) have the potential to fragment existing industry alliances and could diminish the political power and influence of the packaged food and beverage industry. Exploration of industry fragmentation could analyse which issues, companies and countries this is occurring with and how it is playing out. Further, this analysis could build on and connect to the literature analysing the potential for business conflict to constrain corporate power, such as the division between pharmaceutical and agribusinesses in the debates about regulating GMO technology (Falkner 2008, 2009). Amplifying or otherwise taking advantage of these areas of business conflict could enable public health advocates to challenge or diminish the political power that comes from strong interest group alliances (Sabatier 1991). Identifying points of conflict between industry stakeholders would also contribute to calls for a more nuanced understanding of the diversity of interests and actors that fall under the umbrella of the private sector (Herrick 2011; Moodie 2016; Zoller 2016).

Alongside research about food industry cohesion and fragmentation, future research could also examine the influence of corporate health promotion on public health stakeholder cohesion and fragmentation. As discussed in Chapter 7, the potential for corporate health promotion to “win friends” and “silence critics” (Nestle 2015b) can lead to divisions between government and public health stakeholders who view the food industry as a potential partner in public health initiatives or as a threat to the integrity of public health initiatives. At the end of *Soda Politics*, Nestle (2015b, p. 389) notes that, unlike alcohol and tobacco companies, The Coca-Cola Company and PepsiCo “consistently rank among the most admired, respected, and honored companies in the world,” which presents challenges for public health activists seeking to denormalise these industries and the consumption of sugary drinks. Future research could explore the perspectives of government and public health stakeholders about what the role of the food

industry could and should look like in the development and implementation of solutions to obesity. Smith et al.'s (2016) study noted that public health stakeholders were more likely to view the food industry as a potential partner than alcohol or tobacco industries. Further research like this is needed to understand why and how public health and government stakeholders differ in their evaluations of the packaged food and beverage industry. Just as interest group cohesion can amplify the political power of the food industry, interest group fragmentation can weaken the political influence of public health stakeholders (Cullerton et al. 2018; Sabatier 1991). Future research of the political strategies of the packaged food and beverage industry could explicitly differentiate between oppositional and conciliatory political strategies to explore whether and how the industry's political strategies generate different political responses.

My final recommendation is for future research of the political dimensions of the packaged food and beverage industry's responses to obesity to draw on and learn from literature analysing the response of food and agricultural industry stakeholders to social and environmental movements. In Chapter 7, I identified parallels between the Australian soft drink industry's conciliatory political strategy to appease industry critics with concessions and the food industry's strategic use of concessions to appease environmental and social movements (such as recycling programs and organic and Fairtrade certification schemes) (Elmore 2015; Friedmann 2016; Guthman 1998; Jaeger 2018; Jaffee & Howard 2010). Future research could analyse how the corporate strategy of conciliation and appeasement can be observed with other industries or issues. Some researchers are already exploring the intersections between the public health nutrition and food systems literature and seeking to "[bridge] disciplinary domains" (Winson & Choi 2016). Just as public health nutrition researchers have learned from the experience of tobacco control researchers, they are also learning from the experience of food system researchers (Caraher & Coveney 2004; Hawkes 2007; Hawkes et al. 2012; Winson 2004). The bodies of literature analysing the food industry's political strategies to respond to the threat of health or environmental regulations analyse similar industries, companies and strategies. Further, the food industry's responses to social and environmental movements preceded the industry's response to obesity, so there is a wealth of knowledge to be gained about the nature of industry political strategies as well as potential advocacy strategies to counter industry political influence. Nestle (2015b) makes this point at the end of *Soda Politics* when she advocates for public health researchers and advocates to learn from other advocacy groups, a point also

echoed in Zoller's (2016) suggestion for public health advocates to join forces with other social movements and advocacy groups that share similar concerns about corporate power.

## Concluding thoughts

In the past 15 years, corporate health promotion has emerged as a national and international phenomenon with the backing of multi-billion dollar companies whose annual revenues outstrip the GDP of many countries (Buse, Tanaka & Hawkes 2017). While corporate health promotion is sometimes presented as evidence that the packaged food and beverage industry can be “part of the solution” to obesity, public health researchers note that public health and government stakeholders remain divided in their evaluations of these corporate initiatives (Hawkes & Buse 2011; Kraak & Story 2010; Kraak et al. 2014; Stuckler & Nestle 2012). Further, there are few case studies that explore how corporate health promotion initiatives are implemented in practice or how and why they have evolved and changed over time. This thesis addressed this gap by analysing a case study of the Australian soft drink industry and asking *how and why has the Australian soft drink industry attempted to position itself as part of the solution to obesity?*

In this thesis, I have argued that corporate health promotion is fundamentally a political strategy. I have shown how it evolved and changed since its emergence in the early 2000s and how it offers a range of political benefits for the soft drink industry. Further, I have analysed the potential of corporate health promotion strategies to amplify the political power of the soft drink industry while weakening the political influence of industry opposition. This thesis did not explicitly aim to evaluate the political influence of the Australian soft drink industry's corporate health promotion strategies on the development of obesity policies or nutrition governance more broadly. Rather, the data and analysis presented in this thesis highlight the range and complexity of the conciliatory corporate strategies used by the soft drink industry to influence its political environment.

For public health researchers and advocates who are concerned about the political power and influence of the soft drink industry, this thesis highlights the political risks that corporate health promotion presents for industry critics and opposition. To foster further awareness of the political dimensions and

consequences of corporate health promotion, public health researchers must apply similar scrutiny and analysis to the soft drink industry's conciliatory political strategies as they have to its oppositional political strategies. Going forward, public health advocates who seek to challenge the political influence of the soft drink industry need to consider the potential for corporate health promotion to weaken or fragment public health alliances. Ultimately, public awareness of the soft drink industry's political strategy to position itself as "part of the solution" to obesity may denormalise corporate involvement in health promotion and diminish the political influence of this corporate political strategy.

This thesis has contributed to our collective understanding of the political power and influence of the packaged food and beverage industry and offered insights into the motivations and drivers shaping conciliatory corporate political strategies. Further documentation and analysis of corporate political strategies in the food system is needed, and this thesis offers potential methodological and theoretical approaches for future research projects.



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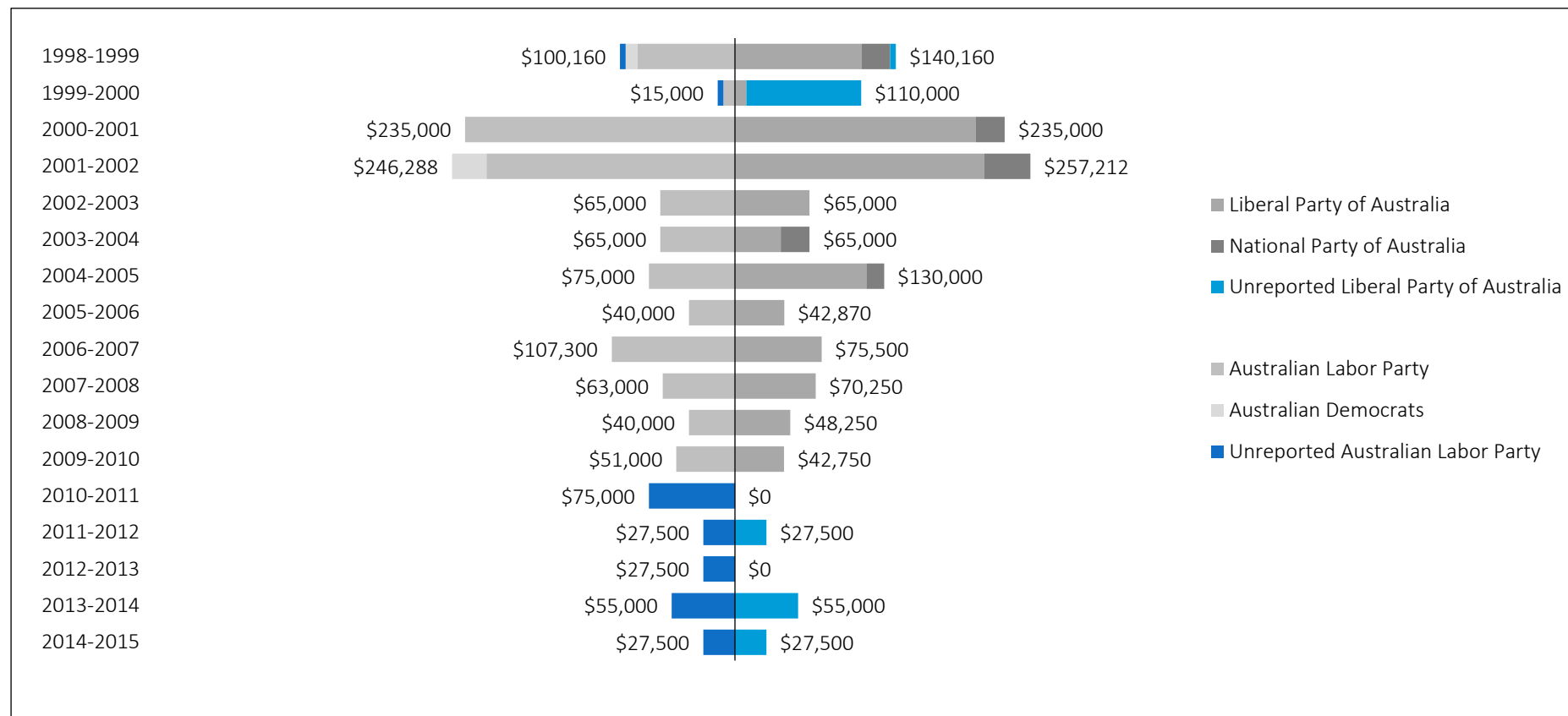
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# Appendices

## Appendix 1: Coca-Cola Amatil's political donations

Figure 22: Coca-Cola Amatil's political donations 1998-2015<sup>46</sup>



Data was sourced from 38 AEC filings from Coca-Cola Amatil, the ALP, the LPA, the National Party and the Australian Democrats (Australian Electoral Commission 2017). Donation amounts are listed in Tables 18 and 19.

Table 18: Coca-Cola Amatil donations to the Liberal and National Parties of Australia

<sup>46</sup> Figure 22 shows the aggregate donations to both state and national parties.

| POLITICAL PARTY                       | 1998-1999 | 1999-2000 | 2000-2001 | 2001-2002 | 2002-2003 | 2003-2004 | 2004-2005 | 2005-2006 | 2006-2007 | 2007-2008 | 2008-2009 | 2009-2010 | 2010-2011 | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 |
|---------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Liberal Party of Australia            | \$110,160 | \$10,000  | \$210,000 | \$217,212 | \$65,000  | \$40,000  | \$115,000 | \$42,870  | \$75,500  | \$70,250  | \$48,250  | \$42,750  |           |           |           |           |           |
| National Party of Australia           | \$25,000  |           | \$25,000  | \$40,000  |           | \$25,000  | \$15,000  |           |           |           |           |           |           |           |           |           |           |
| Unreported Liberal Party of Australia | \$5,000   | \$100,000 |           |           |           |           |           |           |           |           |           |           |           | \$27,500  |           | \$55,000  | \$27,500  |
| TOTAL                                 | \$140,160 | \$110,000 | \$235,000 | \$257,212 | \$65,000  | \$65,000  | \$130,000 | \$42,870  | \$75,500  | \$70,250  | \$48,250  | \$42,750  |           | \$27,500  |           | \$55,000  | \$27,500  |

Table 19: Coca-Cola Amatil donations to the Australian Labor Party and Australian Democrats

| POLITICAL PARTY                   | 1998-1999 | 1999-2000 | 2000-2001 | 2001-2002 | 2002-2003 | 2003-2004 | 2004-2005 | 2005-2006 | 2006-2007 | 2007-2008 | 2008-2009 | 2009-2010 | 2010-2011 | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 |
|-----------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Australian Labor Party            | \$85,160  | \$10,000  | \$235,000 | \$216,288 | \$65,000  | \$65,000  | \$75,000  | \$40,000  | \$107,300 | \$63,000  | \$40,000  | \$51,000  |           |           |           |           |           |
| Australian Democrats              | \$10,000  |           |           | \$30,000  |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Unreported Australian Labor Party | \$5,000   | \$5,000   |           |           |           |           |           |           |           |           |           |           | \$75,000  | \$27,500  | \$27,500  | \$55,000  | \$27,500  |
| TOTAL                             | \$100,160 | \$15,000  | \$235,000 | \$246,288 | \$65,000  | \$65,000  | \$75,000  | \$40,000  | \$107,300 | \$63,000  | \$40,000  | \$51,000  | \$75,000  | \$27,500  | \$27,500  | \$55,000  | \$27,500  |

## Appendix 2: Ethics Application and Approval Letter



### THE UNIVERSITY OF MELBOURNE HUMAN RESEARCH ETHICS COMMITTEE

FORM 2

### MINIMAL RISK APPLICATION

#### PROJECT REFERENCE DETAILS

Enter the Ethics ID number assigned by Themis Research to this ethics application.

1442676.1

Enter the title of the Project as recorded in Themis Research

*The Response of the Beverage Industry to Health Concerns about Sweetened Beverages in Australia*

Enter the name of the Responsible Researcher as recorded in Themis Research

SCRINIS, DR GYORGY  
CAREY, RACHEL

#### 1. PROJECT DETAILS

- 1.1 **EXECUTIVE SUMMARY IN PLAIN ENGLISH:** *Provide a brief summary of the project outlining the broad aims, background, key questions, research design/approach, the participants in the study and what they will be asked to do, and the importance or relevance of the project. [This description must be in everyday language, free from jargon, technical terms or discipline-specific phrases. (No more than 300 words).]*

Public health researchers increasingly blame the corporatization of the food system for obesity, diabetes, and other chronic health problems. Sugar and sweetened beverages in particular are the targets of public health policies and regulatory actions. This growing concern around the health ramifications of sweetened beverage consumption has prompted corporations to develop healthy product lines, design public health advertising campaigns and partner with public health organizations. I explore how corporations make use of discursive and structural strategies to increase their legitimacy in responding to health concerns about their products.

This research project will address the following question: How are beverage corporations responding to health concerns about sugar in Australia? This research question guides the overarching trajectory of my research project. I will explore the responses of beverage corporations in three different areas, as identified in the following sub questions: How does the beverage industry participate in the scientific debates about the healthfulness of sugar, sweetened beverages and their alternatives? How do corporations advertise product reformulation and horizontal differentiation as solutions to health concerns about sweetened beverages? What is the role and influence of corporations in the development and implementation of public health policies concerning sweetened beverages?

I propose to use a qualitative methodology of three case studies: *The Australian Paradox* controversy, Coca-Cola's *Coming Together* campaign and the Australian Star Rating System. I will use published articles, media, reports, FOI documents, and semi-structured interviews with the stakeholders involved in each case study. I will interview industry representatives, public health policy makers, journalists, researchers, and other stakeholders with firsthand experience of each case study.

Corporate power in the food system is largely under-researched, especially as it pertains to health and nutrition. This research will not only fill gaps in the literature, but will also offer valuable insights to the public health policy process.

- 1.2 **AIMS OF AND JUSTIFICATION FOR THE RESEARCH:** *State the aims and significance of the project. Where relevant, state the specific hypothesis to be tested. Also provide a brief description of current research/literature*

review, a justification as to why this research should proceed and an explanation of any expected benefits to the community. [No more than 500 words]

Based on my review of the relevant literature, my research project focuses on three different areas in which beverage corporations are responding to health concerns about sugar and sweetened beverages. First, how do corporations frame the science concerning sugar and sweetened beverages to reinterpret and reduce the seriousness of the health concerns about sugar? Second, how have corporations advertised product reformulation and personal responsibility as solutions to health concerns about sugar? Lastly, how have corporations legitimised their participation in food system governance and public health through public-private partnerships and voluntary self-regulation?

My interest in beverage corporations as a unit of analysis stems in part from the growing body of literature critiquing the food and beverage corporations for their perceived role in the obesity crisis. Journalists, public health researchers and food activists routinely blame corporate business practices for a range of public health problems (Freudenberg, 2014; Moodie et al., 2013; Nestle, 2007; Pollan, 2008; Wiist, 2010). These critiques, however, are often narrowly focused and dismissive of the history of corporate responses to concerns about their products. I draw on food systems studies to highlight the parallels between corporate responses to health concerns and their earlier responses to the environmental and social justice movements (Campbell, 2009; Friedmann, 2005; Smith, Lawrence, & Richards, 2010). While I draw on public health analyses of the social and corporate determinants of disease (Freudenberg, 2014; Swinburn, Egger, & Raza, 1999), I use Guthman's (2011) critique of the obesity debates to guide my analysis of the corporate coproduction of health concerns. I use Clapp and Fuchs' (2009) "three-dimensional approach to power" to explore how corporations strategically use the contested nature of health and nutrition to increase their legitimacy to participate in public health policy. Finally I use Lang et al.'s (2009) stakeholder analysis of food policy to explore the relationships of different actors involved in the debates over sweetened beverages.

Australia, like other countries around the world, faces growing health care costs as non-communicable diseases become more prevalent. Often governments and public health organizations will partner with food and beverage corporations in the development of policy. My research will examine the nuances of these relationships and their implications for public health policy. It is my hope that my research will lead to a better understanding of corporate motivations to participate in public health as well as strategies to improve the public-private relationship, particularly as it pertains to policy development and implementation.

### 1.3 METHOD

(a) What data collection technique(s) will be used? [Tick as many as apply]

Questionnaire (attach a copy)

Interviews (attach a copy)

Observation of participants without their knowledge

Covert observation

Audio- or video-taping interviewees or events (with consent)

Other (Please give details. Use no more than 50 words):

☐  
☒  
☐  
☐  
☐  
☐

(b) What tasks will participants be asked to do? What is the estimated time commitment involved? How will data be analysed?

I will conduct semi-structured interviews with participants using open-ended questions. I estimate the interviews to average 30-60 minutes depending on the availability of the participant. The questions will differ slightly depending on their area of expertise. For example, regarding the Star Rating System, I will ask them to discuss their involvement in the committee meetings, their perceived role of the industry, how the meeting were conducted, perceived power structures, what was on (or not on) the agenda, as well as broader questions regarding the nature of corporate involvement in public health policy in Australia.

I aim to interview 24 people from government, industry, public health and consumer sectors. I recruit participants who have had direct involvement with the development of the Health Star Rating System or other Australian nutrition policies. Due to the sensitive and occasionally political nature of the research topic, I will ensure the confidentiality of the participants by identifying them only by their broad sector, such as politician or public health professional.

When possible, I will conduct these interviews in person at a location convenient to the participant. This may involve my travelling to locations outside the University of Melbourne, such as coffee shops, offices or other facilities in Melbourne or other cities in Australia. I will audio record the conversation (with their consent) as well as take notes during the interview. I will transcribe and code the interview with Nvivo. I will also send a copy of the transcribed interview to each participant for them to validate, approve the use of, and offer additional comments.

### 1.4 USE OF INDEPENDENT CONTRACTORS Will parts of this project be carried out by independent contractors? (e.g. interviewing, questionnaire design and analysis, sample testing, etc)

☐ YES ☒ NO

If YES, confirm that the independent contractor will be engaged on the basis of relevant qualifications and experience and will receive from the first named Principal Researcher, a copy of the approved ethics protocol and be made aware of their responsibilities arising from it. [The responsibility for effective oversight and proper conduct of the project remains with the Principal Researcher(s)]

## 1.5 MONITORING

- (a) How will researchers monitor the conduct of the project to ensure that it complies with the protocols set out in this application, the University's human ethics guidelines and the National Statement on Ethical Conduct in Human Research? [Address, in particular, cases where several people are involved in recruiting, interviewing or administering procedures, or when the research is being carried out at some distance from the Principal Researcher (i.e. interstate or overseas)]

I (the principle researcher) will conduct all the interviews as well as transcribe and code them. I will provide plain statement and consent forms to all of the participants. I will also send each participant a transcript for further commentary as an external audit. Dr. Gyorgy Scrinis (the supervisor and responsible researcher) will approve the selection of interview participants and interview questions prior to the interview taking place.

- (b) For student research projects how will the student be supervised to ensure they comply with the protocols? If the student is working overseas, provide additional details of any local supervision arrangements.

Gyorgy Scrinis (the responsible researcher) will approve my interview questions and participants prior to the interviews.

## 2. PARTICIPANT DETAILS

### 2.1 TARGET PARTICIPANT GROUP

Please indicate the targeted participant group by ticking all boxes that apply. Expand any responses necessary in the space provided at "Other".

- Students or staff of this University ☐ Adults (over 18 years old and competent to give consent) ☒  
Children/legal minors (under 18 years old) ☐ Other (Please give details. Use no more than 50 words): ☐  
(with parental consent)  
People from non-English speaking backgrounds ☐

### 2.2 NUMBER, AGE RANGE AND SOURCE OF PARTICIPANTS

Provide number, age range and source of participants.

I currently estimate 24 interview participants, ranging in age from 25 to 60. I have begun to make contact with public health policy makers in the Melbourne area and am using a snowballing approach to contact other potential participants. I aim to speak with an equal number of industry, public health, government and consumer sector participants. Based on previous studies; it is much harder to gain access to industry spokespeople, so my sample may be biased towards a public health perspective. I will acknowledge this as a limitation in my analysis.

### 2.3 JUSTIFICATION OF PARTICIPANT NUMBERS [The quality and validity of research is an essential condition of its ethical acceptability (refer National Statement)]. Where applicable, provide a justification of sample size (including details of statistical power of the sample, where appropriate), explaining how this sample size will allow the aims of the study to be achieved.

Qualitative research and case studies often base sample size on information saturation, which is when I am not encountering new information from interviews. Clearly this is a value based decision, and I will follow the guidance of my supervisor and other researchers in determining this point. At a minimum, I hope to speak with at least six participants from each sector.

### 2.4 PARTICIPANT RECRUITMENT

- (a) Please indicate the method of recruitment by ticking the appropriate boxes. Tick all that apply.

- Mall out - *see below* ☐ Email - *see below* ☐ Telephone ☒  
Advertisement - *see below* ☐ Recruitment carried out by third party ☐ Recruitment carried out by researcher/s ☐  
(eg. employer, doctor) - *see below*  
Contact details obtained from ☒ Contact details obtained from private ☐ Personal contacts ☒

public documents (eg. phone book)  
Participants from a previous study

☐

sources (eg. employee list, membership database) – *see below*  
Snowball (participants suggest other potential participants)

☒

Other (Please explain in no more than 50 words):

☐

- If using a **mail out** or **email** who will be distributing it?
- If using an **advertisement**:
  - explain where will it be placed?(e.g. on waiting room wall, in newspaper, in newsletter)
  - have you attached a copy?  
Yes ☐ No ☐ NA ☐ If "No" please explain (no more than 50 words):
- If recruitment is to be conducted by a **third party**, (eg employer, doctor) have you attached an approval letter?
  - requesting their assistance?(yes, no or not applicable)  
Yes ☐ No ☐ NA ☐ If "No" please explain (no more than 50 words):
  - confirming their willingness to assist?  
Yes ☐ No ☐ NA ☐ If "No" please explain (no more than 50 words):
  - that has been drafted for the third party to send to potential participants?  
Yes ☐ No ☐ NA ☐ If "No" please explain (no more than 50 words):
- If contact details are to be obtained from **private sources**, have you attached an approval letter?  
Yes ☐ No ☐ If "No" please explain (no more than 50 words):

**(b) Describe how, by whom, where potential participants are to be identified or selected for this research.**

For each of my case studies I have identified a number of relevant stakeholders who have been directly involved in the case. Government websites, policy documents, industry webpages and personal contacts have been used to identify the people involved in the programs and policies that I am researching. I have also identified a number of researchers in this field and asked them for suggestions of people to contact. Often, after speaking with someone they will suggest I follow up with a particular individual or offer to put me in contact with them (snowball approach). Because each of these cases are relatively current and local to Australia, it is my hope that I will be able to speak with a large number of participants who have firsthand experience related to the research.

**(c) Describe how, by whom, where potential participants are to be approached or invited to take part in this research.**

As detailed above, there is occasional overlapping between identification and contact of the research participants. While I will be the primary person contacting potential participants, through my use of snowballing, participants may be originally contacted by another participant. Currently I am going through an informal process of expanding my contacts. For the participants that I intend to formally interview and record for data collection purposes, I will contact them via email with a telephone follow up to inquire of their willingness to participate in the study. In the interview I will provide both the plain statement and consent form for their information, as well as a brief explanation of why I am interested in their participation in particular. If the interview is in person I will bring hard copies of the plain statement and consent form to be signed. For interviews conducted over the phone or Skype I will ask that they sign and scan the documents prior to the interview.

**2.5 DEPENDENT RELATIONSHIPS**

[The issue of research involving persons in dependent or unequal relationships (e.g. teacher/student, doctor/patient, student/lecturer, client/counsellor, warder/prisoner, and employer/employee) is discussed in Sections 2 and 4.3 of the National Statement. Such a relationship may compromise a participant's ability to give consent which is free from any form of pressure (real or implied)]. Are any of the participants in a dependent relationship with any of the researchers, particularly those involved in recruiting for or conducting the project?

☐ YES ☒ NO

(If YES, explain the dependent relationship and the steps to be taken by the researchers to ensure that participation is purely voluntary and not influenced by the relationship in any way)

## 2.6 PAYMENT OR INCENTIVES OFFERED TO PARTICIPANTS

Do you propose to pay, reimburse or reward participants?

- ☐ YES ☒ NO (If YES, how, how much and for what purpose? Please justify the approach)

## 3. INFORMATION FOR PARTICIPANTS AND INFORMED CONSENT

Before research is undertaken, the informed and voluntary consent of participants (and other properly interested parties) is generally required (refer Section 2 of the National Statement for more details). Information needs to be provided to participants at their level of comprehension about the purpose, methods, demands, risks, inconveniences, discomforts and possible outcomes of the research. Such information is often provided in a written **Plain Language Statement**. Each participant's consent needs to be clearly established (e.g. by using a signed **Consent Form**, returning an anonymous survey or recording an agreement for interview).

### 3.1 PROVIDING INFORMATION FOR PARTICIPANTS

(a) Will you be providing participants with information in a written Plain Language Statement?

- ☒ YES ☐ NO (If NO, provide details of the protocol you will use to explain the research project to participants and invite their participation?)

(b) Will arrangements be made to ensure that participants who have difficulty understanding English can comprehend the information provided about the research project?

- ☐ YES ☒ NO (If YES, what arrangements have been made? If NO, give reasons. As I will be interviewing people who are professionals in Australia and fluent speakers of English, it is unlikely that they will be unable to understand English.

### 3.2 PLAIN LANGUAGE STATEMENT (IF APPLICABLE)

CONFIRM THAT THE PLAIN LANGUAGE STATEMENT WILL:

- |                                                                                                                                                                                                                                         | YES                                 | NOT APPLICABLE           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|
| 1. be printed on University of Melbourne letterhead                                                                                                                                                                                     | <input checked="" type="checkbox"/> |                          |
| 2. include clear identification of the University, the Department(s) involved, the project title, the Principal and Other Researchers (including contact details), and the study level if it is a student research project.             | <input checked="" type="checkbox"/> |                          |
| 3. provide details of the purpose of the research project                                                                                                                                                                               | <input checked="" type="checkbox"/> |                          |
| 4. provide details of what involvement in the project will require (e.g., involvement in interviews, completion of questionnaire, audio/video-taping of events), and estimated time commitment                                          | <input checked="" type="checkbox"/> |                          |
| 5. provide details of any risks involved and the procedures in place to minimise these.                                                                                                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. advise that the project has received clearance by the HREC                                                                                                                                                                           | <input checked="" type="checkbox"/> |                          |
| 7. (if the sample size is small), confirm that this may have implications for protecting the identity of the participants                                                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. include a clear statement that if participants are in a dependent relationship with any of the researchers that involvement in the project will not affect ongoing assessment/grades/management or treatment of health (if relevant) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. state that involvement in the project is voluntary and that participants are free to withdraw consent at any time, and to withdraw any unprocessed data previously supplied                                                          | <input checked="" type="checkbox"/> |                          |
| 10. provide advice as to arrangements to be made to protect confidentiality of data, including that confidentiality of information provided is subject to legal limitations (see ** below)                                              | <input checked="" type="checkbox"/> |                          |
| 11. provide advice as to whether or not data is to be destroyed after a minimum period (if relevant)                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12. provide in the footer, the project HREC number, date and version of the PLS                                                                                                                                                         | <input checked="" type="checkbox"/> |                          |
| 13. provide advice that if participants have any concerns about the                                                                                                                                                                     | <input checked="" type="checkbox"/> |                          |

conduct of this research project that they can contact the  
Executive Officer, Human Research Ethics, The University of  
Melbourne, ph: 8344 2073; fax 9347 6739

[\*\*Re 10 – it is possible for data to be subject to subpoena, freedom of information request or mandated reporting by some professions. Depending on the research proposal you may need to specifically state these limitations]

**SEE ATTACHED COPY OF THE PLAIN LANGUAGE STATEMENT**

**3.3 OBTAINING CONSENT**

(a) *How will each participant's consent be established?*

- |                                                                |                                     |                                                                                              |                          |
|----------------------------------------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------|--------------------------|
| By signing and returning a Consent Form – <u>see 3.4 below</u> | <input checked="" type="checkbox"/> | By returning an anonymous survey                                                             | <input type="checkbox"/> |
| Via a verbal agreement                                         | <input checked="" type="checkbox"/> | Via a person with lawful authority to consent (eg. parent, doctor) – <u>see 3.3(b) below</u> | <input type="checkbox"/> |
| Via a recorded agreement for interview                         | <input checked="" type="checkbox"/> | Other (Please describe in no more than 50 words):                                            | <input type="checkbox"/> |

(b) *If participants are unable to give informed consent, explain who will consent on their behalf and how such consent will be obtained.*

Considering that I will be interviewing academics, industry representatives and policy makers that work in Australia, it is unlikely that they will be incapable to giving consent. In the event that they cannot, I will not interview them.

**3.4 CONSENT FORM (IF APPLICABLE)**

**CONFIRM THAT THE CONSENT FORM WILL:**

- |                                                                                                                                                                                          | YES                                 | NOT APPLICABLE           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|
| 1. be printed on University of Melbourne letterhead                                                                                                                                      | <input checked="" type="checkbox"/> |                          |
| 2. include the title of the project and names of researchers                                                                                                                             | <input checked="" type="checkbox"/> |                          |
| 3. state that the project is for research purposes                                                                                                                                       | <input checked="" type="checkbox"/> |                          |
| 4. state that involvement in the project is voluntary and that participants are free to withdraw at any time, and free to withdraw any unprocessed identifiable data previously supplied | <input checked="" type="checkbox"/> |                          |
| 5. outline particular requirements of participants including, for example, whether interviews are to be audio and/or video-taped                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. include arrangements to protect the confidentiality of data                                                                                                                           | <input checked="" type="checkbox"/> |                          |
| 7. include advice that there are legal limitations to data confidentiality (see below)**                                                                                                 | <input checked="" type="checkbox"/> |                          |
| 8. (if the sample size is small) confirm that this may have implications for protecting the identity of the participants                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. (once signed and returned) be retained by the researcher                                                                                                                              | <input checked="" type="checkbox"/> |                          |

[\*\*Re 7 – it is possible for data to be subject to subpoena, freedom of information request or mandated reporting by some professions. Depending on the research proposal you may need to specifically state and explain these limitations]

**SEE ATTACHED COPY OF THE CONSENT FORM**

**4. PRIVACY AND CONFIDENTIALITY**

Privacy can be described as "...a complex concept that stems from a core idea that individuals have a sphere of life from which they should be able to exclude any intrusion." A major application of the concept of privacy is information privacy: the interest of a person in controlling access to and use of any information personal to that person. 'Confidentiality', a narrower more specific term than 'privacy' refers to the legal and ethical obligation that arises from a relationship in which a person receives information from or about another.

At the Commonwealth level, the collection, storage, use and disclosure of personal information by Commonwealth agencies is regulated by the *Privacy Act 1988*. Sections 95 and 95A of the Act are of particular relevance to researchers. There is regulation at State and Territory level in the form of legislation related to privacy generally or the administration of agencies, or administrative codes of practice. In Victoria, the *Health Records Act 2001* regulates health information handled by the Victorian public sector and private sector, while the *Information Privacy Act 2000* regulates the collection and handling of non-health-related personal information. The National Statement states that an HREC must be satisfied that a research proposal conforms to all relevant Commonwealth, State or Territory privacy legislation or codes of practice]

#### 4.1 ACCESSING PERSONAL INFORMATION

[Personal Information includes names, addresses, or information/opinion about an individual whose identity is apparent, or can reasonably be ascertained, from the information/opinion. It also includes Health Information (e.g. health opinions, organ donation or genetic information) and Sensitive Information (e.g. political views, sexual preferences, criminal records)]

*Is there a requirement for the researchers to obtain Personal Information (either identifiable or potentially identifiable) about individuals without their consent?*

- |                                                                    | YES                      | NO                                  |
|--------------------------------------------------------------------|--------------------------|-------------------------------------|
| a) from Commonwealth departments or agencies?                      | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) from State departments or agencies?                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) from Other Third Parties, such as non-government organisations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*If you answered YES to (a), (b) or (c), you will need to complete Module P and attach it to this application*

#### 4.2 REPORTING PROJECT OUTCOMES

(a) Will the project outcomes be made public at the end of the project?

- ☒ YES ☐ NO (If YES, give details of how the results will be made public (eg in journal articles book, conference paper, the media, working paper or other). If NO, explain why not.  
Yes, via published journal articles and publicly available thesis (barring copyright overlap with published journals)

(b) Will a report of the project outcomes be made available to participants at the end of the project?

- ☒ YES ☐ NO (If Yes, give details of the type of report and how it will be made available. If No, explain why not.  
Yes, I will compile a report of my findings that are not published

#### 4.3 WILL THE RESEARCH INVOLVE:

- |                                                                                                                                                                                                                                                                                                                                                  | YES                                 | NO                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| • complete anonymity of participants (i.e., researchers will not know the identity of participants as participants are part of a random sample and are required to return responses with no form of personal identification)?                                                                                                                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| • de-identified samples or data (i.e., an irreversible process whereby identifiers are removed from data and replaced by a code, with no record retained of how the code relates to the identifiers. It is then impossible to identify the individual to whom the sample of information relates)?                                                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| • potentially identifiable samples or data (i.e., a reversible process in which the identifiers are removed and replaced by a code. Those handling the data subsequently do so using the code. If necessary, it is possible to link the code to the original identifiers and identify the individual to whom the sample or information relates)? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| • participants having the option of being identified in any publication arising from the research?                                                                                                                                                                                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| • participants being referred to by pseudonym in any publication arising from the research?                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| • any other method of protecting the privacy of participants? Please describe:                                                                                                                                                                                                                                                                   |                                     |                                     |

Due to the small number of people involved in the steering committees for the Health Star Rating System, it is possible that some of the participants could be identified. I will endeavour to ensure their confidentiality by identifying interview participants only by their broad professional sector, such as 'politician' or 'beverage industry member.' I will redact any personal or contextual information that would allow the participant to be readily identified. Additionally, I will send each participant a copy of the interview transcript for them to verify, to request the omission of certain parts, or add additional information. I will keep all of the interview data and transcripts on a password-protected computer at the University of Melbourne.

*Note that where the sample size is very small, it may be impossible to guarantee anonymity/confidentiality of participant identity. Participants involved in such projects need to be clearly advised of this limitation in the Plain Language Statement.*

## 5 DATA STORAGE, SECURITY AND DISPOSAL

### 5.1 DATA STORAGE

Does data storage comply with the University policy? [University of Melbourne Policy on the Management of Research Data and Records is available at: <http://www.unimelb.edu.au/records/research.html> The Joint NHMRC/AVCC Statement and Guidelines on Research Practice is available at: <http://www.nhmrc.gov.au/funding/policy/researchprac.htm>]

☒ YES ☐ NO (If NO, please explain.)

## 5.2 DATA SECURITY

(a) Will the Principal Researcher be responsible for security of data collected?

☒ YES ☐ NO (If NO, please provide further details. You may also use this space to explain any differences between arrangements in the field, and on return to campus.)

(b) Will data be kept in locked facilities in the Department through which the project is being conducted?

☒ YES ☐ NO (If NO, please explain how and where data will be held, including any arrangements for data security during fieldwork.)

(c) Which of the following methods will be used to ensure confidentiality of data? (select all options that are relevant)

- data and codes and all identifying information to be kept in separate locked filing cabinets ☐
- access to computer files to be available by password only ☒
- access by named researcher(s) only ☒
- other (please describe) ☐

(d) Will others besides the named researchers have access to the raw data?

☐ YES ☒ NO (If YES, please explain who and for what purpose? What is their connection to the project?)

## 5.3 DATA RETENTION AND DISPOSAL

[Research data and records should be maintained for as long as they are of continuing value to the researcher and as long as recordkeeping requirements such as patent requirements, legislative and other regulatory requirements exist. The minimum retention period for research data and records is five years after publication, or public release, of the work of the research as stated in the University of Melbourne *Code of Conduct for Research*. If the project involves clinical trial(s), the data should be kept for a minimum of 15 years (refer to Section 3.3 of the National Statement for further details)]

Specify how long materials (e.g. files, audiotapes, questionnaires, videotapes, photographs) collected during the study will be retained after the study and how they will ultimately be disposed of.

The data will be kept securely in the Faculty of Veterinary and Agricultural Sciences for ten years from the date of publication, before being destroyed.

## 6. POTENTIAL CONFLICT OF INTEREST

### 6.1 POTENTIAL CONFLICT OF INTEREST

Is there any affiliation or financial interest for researchers in this research or its outcomes or any circumstances which might represent a perceived, potential or actual conflict of interest?

☐ YES ☒ NO (If YES, give brief details?)

[If you have declared a potential conflict of interest, you should include an appropriate comment on the Plain Language Statement and Consent Form]

### 6.2 COMPLIANCE WITH THE CODE OF CONDUCT FOR RESEARCH

[University researchers must disclose and manage Conflict of Interest in accord with the provisions of the University's Code of Conduct for Research. See <http://www.unimelb.edu.au/ExecServ/Statutes/r171r8.html>]

Is the Conflict of Interest noted above in section 6.1 being managed in accordance with the Code of Conduct?

☒ YES ☐ NO ☐ Not Applicable

## 7. DECLARATION BY RESEARCHERS

The information contained herein is, to the best of our knowledge and belief, accurate.

We have read the University's current human ethics guidelines, and accept responsibility for the conduct of the procedures set out in the attached application in accordance with the guidelines, the University's Code of Conduct for Research and any other condition laid down by the University of Melbourne's Human Research Ethics Committee or its Sub-Committees. We have attempted to identify all risks related to the research that may arise in conducting this research and acknowledge our obligations and the rights of the participants. We have the appropriate qualifications, experience and facilities to conduct the research set out in the attached application and to deal with any emergencies and contingencies related to the research that may arise.

If approval is granted, the project will be undertaken in strict accordance with the approved protocol and relevant laws, regulations and guidelines.

We, the researcher(s) agree:

- To only start this research project after obtaining final approval from the Human Research Ethics Committee (HREC);
- To only carry out this research project where adequate funding is available to enable the project to be carried out according to good research practice and in an ethical manner;
- To provide additional information as requested by the HREC;
- To provide progress reports to the HREC as requested, including annual and final reports;
- To maintain the confidentiality of all data collected from or about project participants, and maintain security procedures for the protection of privacy;
- To notify the HREC in writing immediately if any change to the project is proposed and await approval before proceeding with the proposed change;
- To notify the HREC in writing immediately if any adverse event occurs after the approval of the HREC has been obtained;
- To agree to an audit if requested by the HREC;
- To only use data and any tissue samples collected for the study for which approval has been given;

We have read the National Statement on Ethical Conduct in Human Research and agree to comply with its provisions.

All researchers associated with this project must sign

| Researchers' Name (please PRINT) | Signature                   | Date       |
|----------------------------------|-----------------------------|------------|
| Jennifer Kay Lacy-Nichols        | <i>Jennifer Kay Nichols</i> | 19.12.2014 |
| Gyorgy Scrinis                   | <i>G. Scrinis</i>           | 19/12/14.  |
| Rachel Carey                     | <i>Rachel Carey</i>         | 19/12/2014 |

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#### 8. DECLARATION BY DEPARTMENTAL HUMAN ETHICS ADVISORY GROUP (HEAG)

DATE APPLICATION RECEIVED:     /     /

HEAG NO:

☐ TECHNICAL REVIEW COMPLETED

☐ ETHICAL REVIEW COMPLETED

*The HEAG has reviewed this project and considers the methodological/technical and ethical aspects of the proposal to be appropriate to the tasks proposed and recommends approval of the project. The HEAG considers that the researcher(s) has/have the necessary qualifications, experience and facilities to conduct the research set out in the attached application, and to deal with any emergencies and contingencies that may arise. [Note: If the HEAG Chair is also a principal researcher for this project, the declaration should be signed by another authorised member of the HEAG]*

Comments/Provisos:

|                                       |  |
|---------------------------------------|--|
| Name of HEAG Chair (in BLOCK LETTERS) |  |
| Signature                             |  |
| Date                                  |  |

#### 9. DECLARATION BY HEAD OF DEPARTMENT

DATE APPLICATION RECEIVED:     /     /

HEAG NO:

☐ TECHNICAL REVIEW COMPLETED

☐ ETHICAL REVIEW COMPLETED

*I have reviewed this project and consider the methodological, technical and ethical aspects of the proposal to be appropriate to the tasks proposed and recommend approval of the project. I consider that the researcher(s) has/have the necessary qualifications, experience and facilities to conduct the research set out in the attached application, and to deal with any emergencies and contingencies that may arise. [If the Head of Department is also a principal researcher for this project, the declaration should be signed by another authorised member of the Department]*

*This project has the approval and support of this Department/School/Centre.*

|                                 |  |
|---------------------------------|--|
| Name of Head (in BLOCK LETTERS) |  |
| Signature                       |  |
| Date                            |  |

#### 10 WHEN COMPLETE

When this form has been completed and finalised it should be attached to the coversheet section of the application completed in Themis Research and then submitted to the nominated Human Ethics Advisory Group for review.

24 December 2014



**Dr Gyorgy Scrinis**  
Department of Agriculture and Food Systems  
The University of Melbourne

Dear Dr Scrinis,

I am pleased to advise that the Melbourne School of Land and Environment Human Ethics Advisory Group has approved the following Minimal Risk Project on 24-Jan-2014.

Project title : **The Response of the Beverage Industry to Health Concerns about Sweetened Beverages in Australia**  
Researchers : **Dr R M Carey, Dr G Scrinis, J Lacy-Nichols**  
Ethics ID : **1442676**

The Project has been approved for the period: 24-Dec-2014 to 31-Dec-2015.

It is your responsibility to ensure that all people associated with the Project are made aware of what has actually been approved.

Research projects are normally approved to 31 December of the year of approval. Projects may be renewed yearly for up to a total of five years upon receipt of a satisfactory annual report. If a project is to continue beyond five years a new application will normally need to be submitted.

Please note that the following conditions apply to your approval. Failure to abide by these conditions may result in suspension or discontinuation of approval and/or disciplinary action.

(a) Limit of Approval: Approval is limited strictly to the research as submitted in your Project application.

(b) Amendments to Project: Any subsequent variations or modifications you might wish to make to the Project must be notified formally to the Human Ethics Advisory Group for further consideration and approval before the revised Project can commence. If the Human Ethics Advisory Group considers that the proposed amendments are significant, you may be required to submit a new application for approval of the revised Project.

(c) Incidents or adverse effects: Researchers must report immediately to the Advisory Group and the relevant Sub-Committee anything which might affect the ethical acceptance of the protocol including adverse effects on participants or unforeseen events that might affect continued ethical acceptability of the Project. Failure to do so may result in suspension or cancellation of approval.

The University of Melbourne  
Building 142, Parkville, Victoria 3010 Australia  
T: +61 3 9035 4892

(d) Monitoring: All projects are subject to monitoring at any time by the Human Research Ethics Committee.

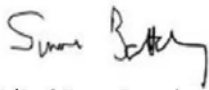
(e) Annual Report: Please be aware that the Human Research Ethics Committee requires that researchers submit an annual report on each of their projects at the end of the year, or at the conclusion of a project if it continues for less than this time. Failure to submit an annual report will mean that ethics approval will lapse.

(f) Auditing: All projects may be subject to audit by members of the Sub-Committee.

Please quote the ethics registration number and the name of the Project in any future correspondence.

On behalf of the Melbourne School of Land and Environment HEAG I wish you well in your research.

Yours sincerely,



A/Prof Simon Batterbury  
Chair Melbourne School of Land and Environment Human Ethics Advisory Group

## Appendix 3: Interview Recruitment



THE UNIVERSITY OF  
MELBOURNE

FACULTY OF VETERINARY AND AGRICULTURAL SCIENCES

Parkville Campus  
Building 142  
University of Melbourne  
VIC 3010

10 April 2015

Dear Sir or Madam,

My name is Jennifer Lacy-Nichols. I am a PhD student at the University of Melbourne in the Food and Agriculture Systems department. I am writing to ask if you would agree to be interviewed for a research project entitled: *The Response of the Beverage Industry to Health Concerns about Sugar-Sweetened Beverages in Australia*.

This research aims to examine health concerns about sugar-sweetened beverages (SSBs), product reformulation strategies, and Australian policies concerning SSBs. The general purpose of this study is to explore the response of the beverage industry in Australia to health concerns about SSBs.

I am interested in speaking with you regarding your views on the ways in which the beverage industry is responding to health concerns about SSBs in Australia. If you agree to participate, I will interview you for approximately thirty minutes. In this interview I will ask questions about your views on: health concerns about SSBs, health promotion strategies in Australia, and policies that concern SSBs.

I have attached a statement about my research project as well as a consent form that you will be asked to sign prior to the interview. I am happy to provide more details about the research project. Please contact me with any questions you have.

If you are unable to participate, perhaps you could suggest someone else with whom I might be able to speak.

I look forward to hearing from you.

Sincerely,

Jennifer Lacy-Nichols

PhD Candidate

Faculty of Veterinary and Agricultural Sciences

The University of Melbourne

[jlacy@unimelb.edu.au](mailto:jlacy@unimelb.edu.au)

0411 816 863



## FACULTY OF VETERINARY AND AGRICULTURAL SCIENCES

### Explanatory Statement

**PROJECT TITLE:** *The Response of the Beverage Industry to Health Concerns about Sweetened Beverages in Australia*

Student Researcher: Jennifer Lacy-Nichols

Post-Graduate Course: Doctor of Philosophy

ID no: 1442676.1

---

#### Background

A growing body of scientific literature associates sugar-sweetened beverages (SSBs) with obesity and a number of non-communicable diseases. Around the world, the beverage industry is responding to these health concerns in a number of different ways.

I am interested in exploring how the Australian beverage industry is responding to health concerns from consumers, public health organizations and the government. One of the goals of this research project is to explore the views of different stakeholders in Australia about this issue.

#### Research Goals

The goals of this study are to:

- examine the debates about health concerns associated with SSBs;
- explore industry responses to health concerns, in particular reformulation of SSBs;
- analyse policies targeting SSBs in Australia;
- explore stakeholder views about the scientific debates, industry responses and policies.

#### How you can assist

I would be very grateful if you would consent to be interviewed about your views on health concerns about sugar-sweetened beverages, responses of the beverage industry, reformulation strategies and policies targeting SSBs. Interviews will last around 30 minutes and can take place at your place of work at a time convenient to you.

With your permission, the interview would be audio recorded. When the record has been transcribed, you would be provided with a copy of the transcript, so that you can verify that the information is correct and/or request deletions.

Your responses may be included in my written thesis for a PhD at the University of Melbourne where I am studying. It is also possible that the results will be presented at academic conferences. All participants will receive a summary of research results.

#### **Data Protection**

This information will be held and processed while writing a PhD Thesis, and kept only for the purpose of that dissertation. The data will be stored at the University of Melbourne and the confidentiality of the information I provide will be safeguarded subject to any legal requirements. The thesis will not name or otherwise identify the interviewee. I understand that any information I provide is confidential, and that no information that could lead to the identification of any individual will be disclosed in any reports on the project, or to any other party. No identifiable personal data will be published. You should note, however, that since the number of potential interviewees is small, it might still be possible for someone to identify you.

Please be advised that your participation in this study is completely voluntary. Should you wish to withdraw at any stage, or to withdraw any unprocessed data you have supplied, you are free to do so without prejudice.

If you would like to participate, please indicate that you have read and understood this information by signing the accompanying consent form and returning it via email to: [jlacy@unimelb.edu.au](mailto:jlacy@unimelb.edu.au). Ms. Lacy-Nichols will then contact you to arrange a mutually convenient time for an interview.

Should you require any further information, or have any concerns, please do not hesitate to contact Ms. Lacy-Nichols via email: [jlacy@unimelb.edu.au](mailto:jlacy@unimelb.edu.au) or via phone: 0411-816-863.

Should you have any concerns about the conduct of the project, you are welcome to contact the Executive Officer, Human Research Ethics, The University of Melbourne, on ph: 8344-2073, or fax: 9347-6739



## FACULTY OF VETERINARY AND AGRICULTURAL SCIENCES

### Consent Form

**PROJECT TITLE:** *The Response of the Beverage Industry to Health Concerns about Sweetened Beverages in Australia*

Student Researcher: Jennifer Lacy-Nichols

Post-Graduate Course: Doctor of Philosophy

ID no: 1442676.1

---

I consent to participate in this project, the details of which have been explained to me, and I have been provided with a written plain language statement to keep.

I understand that after I sign and return this consent form it will be retained by the researcher.

I understand that my participation will involve an **interview** and I agree that the researcher may use the results as described in the plain language statement. I understand that with my consent the **interview will be audio-recorded**.

**Data Protection:** This information will be held and processed while writing a PhD Thesis, and kept only for the purpose of that dissertation. The data will be stored at the University of Melbourne and the confidentiality of the information I provide will be safeguarded subject to any legal requirements. The thesis will not name or otherwise identify the interviewee. I understand that any information I provide is confidential, and that no information that could lead to the identification of any individual will be disclosed in any reports on the project, or to any other party. No identifiable personal data will be published.

**Withdrawal from study:** I understand that my participation is voluntary and that I am free to withdraw from the project at any time without explanation or prejudice and to withdraw any unprocessed data I have provided.

I consent to this **interview** being audio-recorded

☐ **yes**   ☐ **no**

I wish to receive a copy of the summary project report on research findings

☐ **yes**   ☐ **no**

Participant Name: .....

Participant Signature: .....

Date:.....

## Appendix 4: Interview Topic Guide

### Interview topic guide

Project Title: The response of the beverage industry to health concerns about sugar sweetened beverages

*Thank you for agreeing to take part in this interview. The interview will last around 30-45 minutes, and you can stop the interview at any time. Can I ask how much time you have available, so I can make sure not to go over?*

*The purpose of the interview is to discuss your views about health concerns about sugar-sweetened beverages, how the beverage industry is responding and the development of public health policies in Australia concerning sugar.*

*There are no right or wrong answers. I'm speaking to a range of stakeholders during the research, and I'm interested in your personal opinions.*

*My research looks three different areas: the debates concerning the healthfulness of SSBs, product reformulation strategies, and the development of public health policies. I am particularly interested in the Australian context. I gave you a plain statement about my research—did you have any questions?*

*[The interviewee will be asked at the start of the interview to briefly describe their role in their organisation and any interest or involvement that they or their organisation currently has in SSBs].*

### SCIENTIFIC DEBATES

1. What do you see as the main health concerns related to SSBs?
  - Would you say that there is a large public interest in SSBs, and when do you think that happened?
  - Consensus about health concerns?
  - How do you define sugar-sweetened beverage?
  - If you had to rank beverages (after water) how would you rank: juice, flavored milk, soft drinks, diet soft drinks, sweet teas, or artificially sweetened drinks?
2. Would you say there is consensus among stakeholders about health concerns about SSBs?
  - Why/why not? Why target SSBs? Benefits/limitations of this?
  - Where is there consensus or disagreement? Implications of this?
  - How is the scientific evidence important/used? In the policy process? (if not the science, what is the most important input in the policy process?)

### REFORMULATION AND HEALTH PROMOTION

3. Can you tell me what you think about SSB reformulation?

- How do different stakeholders benefit?
  - What do you see as some of the limitations of SSB reformulation?
  - What are some of the challenges of sugar reduction in SSBs?
4. What do you see as the best health promotion strategies concerning SSBs??
- What are the alternatives to reformulation of SSBs? (labeling, warning labels, taxes, advertising restrictions, etc.)
  - What are the benefits and limitations of these alternatives?
  - How feasible do you think other strategies are in Australia? Why?

## POLICY

5. Could you tell me a bit about your involvement with the development of the DGA and your experiences?
- What was your experience with the policy process?
  - What do you think were the key issues on the agenda?
  - Were there issues/proposals you would have liked to see on the agenda? Why do you think they weren't there?
  - I have been looking at the submissions—how important were they in shaping the DGA?
6. Who were some of the key stakeholders involved?
- What do you think about the stakeholder representation in the policy process?
  - Who do you think most influenced the process and how did they do that?
  - Which topics had the most and least consensus? Guideline about sugar?
  - What was the level of agreement or disagreement amongst the other stakeholders? Why do you think that was?
  - What was your relationship like with the other stakeholders?

*That brings the interview to a close. Before I finish, is there anything that you would like to add?*

*Thank you for your time—I appreciate your insights into this topic. If you like, I will send you a copy of the interview transcript for your verification. If there is anything you would like to add to it or remove I can do that.*

*I will also send you a summary of my findings at the conclusion of my research project.*

*Again, thank you for your time. \*\*\*REMEMBER to ask if they would be willing to put me in touch with other people to talk to\*\*\**

## Appendix 5: What's the problem represented to be?: an approach to policy analysis

Table 20: *What's the problem represented to be?: an approach to policy analysis*

| GUIDING QUESTIONS FOR ANALYSIS                                                                  | SUB-QUESTIONS                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. What's the 'problem' represented to be?                                                      |                                                                                                                                                                                                                                                                                                                                                                                |
| 2. What presuppositions or assumptions underlie this representation of the 'problem'?           | <ul style="list-style-type: none"> <li>- What background knowledge is 'taken for granted'?</li> <li>- What are the underlying conceptual logics?</li> </ul>                                                                                                                                                                                                                    |
| 3. How has this representation of the 'problem' come about?                                     | <ul style="list-style-type: none"> <li>- What factors have led to the dominance of this problem representation?</li> <li>- How do power relations impact the success of some representations over others?</li> </ul>                                                                                                                                                           |
| 4. What is left unproblematic in this problem representation?                                   | <ul style="list-style-type: none"> <li>- What are the silences?</li> <li>- Can the 'problem' be thought about differently?</li> <li>- How is this 'problem' represented differently in other contexts?</li> </ul>                                                                                                                                                              |
| 5. What effects are produced by this representation of the 'problem'?                           | <ul style="list-style-type: none"> <li>- What is likely to change?</li> <li>- What is likely to stay the same?</li> <li>- Who is likely to benefit from this representation?</li> <li>- How are blame and responsibility attributed in this representation?</li> <li>- How would 'responses' differ if the 'problem' were thought about or represented differently?</li> </ul> |
| 6. How/where has this representation of the 'problem' been produced, disseminated and defended? | <ul style="list-style-type: none"> <li>- How do problem representations achieve legitimacy?</li> <li>- How could this representation be questioned, disrupted and replaced?</li> <li>- What past and current challenges does this representation face?</li> </ul>                                                                                                              |

Table 20 is adapted from Bacchi (2009, pp. 2-48).

## Appendix 6: The Australian Beverages Council's Nutrition and Obesity Policies

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### 1998: Position Statement on Nutrition and Health (ASDA 1998e)

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### 1998: Position Statement on School Canteen Sales (ASDA 1998b)

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## 1998: 123456+ Food and Nutrition Plan (ASDA 1998d)

*Figure 23: the ABC's 123456+ Food and Nutrition Plan*

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### 2003: Strategy to Address the Obesity Issue (ASDA 2003a, pp. 23-4)

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#### 2004: Childhood Obesity, a Community Concern (ABC 2004b)

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## 2005: Obesity Policy: Health and Nutrition (ABC 2005b)

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## 2006: Commitment Addressing Obesity and Other Health and Wellness Issues (ABC 2006c)

*Figure 24: Commitment Addressing Obesity and Other Health and Wellness Issues (version 1)*

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## 2007: Commitment Version 2 (ABC 2007c)

*Figure 25: Commitment Addressing Obesity and Other Health and Wellness Issues (version 2)*

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### 2009: Commitment Version 3 (ABC 2009c)

*Figure 26: Commitment Addressing Obesity and Other Health and Wellness Issues (version 3)*

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## Appendix 7: The Australian Beverages Council's engagement with key stakeholders

Table 21: The Australian Beverages Council's engagement with key stakeholders<sup>47</sup>

| YEAR        | STAKEHOLDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1998</b> | <ul style="list-style-type: none"> <li>- Assistant Secretary of DAFF, Mr Bob Calder</li> <li>- Parliamentary Secretary to the Minister of Health and Aged Care in charge of ANZFA Senator Grant Tambling</li> <li>- ANZFA, CEO Mr Ian Lindenmayer</li> <li>- Executive Officer of Food Safety Victoria Ms Ellen Kittson</li> <li>- Executive Officer of the Australian Nutrition Foundation Mr Derek Moore</li> <li>- Chairman of the AIFST (Vic branch) Mr Philip Strong</li> <li>- Queensland Sugar Corporation CEO Dr David Rutledge</li> <li>- Sugar Industry Nutrition Committee</li> </ul>                                                   |
| <b>1999</b> | <ul style="list-style-type: none"> <li>- Senior advisor to the Minister for Health</li> <li>- Parliamentary secretary of the Minister for Health in charge of ANZFA</li> <li>- Parliamentary secretary to the Shadow Minister for Health</li> <li>- Victoria's Chief Health Officer; and officers of the Ministries of Commerce, Agriculture and Forestry and Health</li> <li>- The Honorable Patricia Forsyth attended <i>AusDrinks 1999</i>, who prior to her election to NSW parliament served as ASDA's Public Affairs Manager</li> <li>- ANZFA (to oppose mandatory % labelling of food ingredients)</li> </ul>                               |
| <b>2000</b> | <ul style="list-style-type: none"> <li>- ANZFA (including Ian Lindenmayer)</li> <li>- AFFA</li> <li>- Hon Senator Grand Tambling</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>2001</b> | <ul style="list-style-type: none"> <li>- Hon. John McQuilten, M.L.C. (a past vice president of Victorian Soft Drink Association) (speaker at VIC AGM)</li> <li>- Parliamentary Secretary to the Health Minister, the Hon Matt Viney (speaker at VIC AGM)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                |
| <b>2002</b> | <ul style="list-style-type: none"> <li>- NSW leader of the opposition Mr John Brogden (speaker at NSW AGM)</li> <li>- NSW deputy leader of the opposition and then shadow minister for education Mr Barry O'Farrell (speaker at NSW AGM)</li> <li>- Advisor to the VIC minister for the environment (speaker at NSW AGM)</li> <li>- Victorian Department of Innovation, Industry and Regional Development</li> <li>- Victorian Treasurer the Hon John Brunby</li> </ul>                                                                                                                                                                            |
| <b>2003</b> | <ul style="list-style-type: none"> <li>- Opposition Shadow Ministers</li> <li>- Food Regulations Standing Committee</li> <li>- FSANZ Board</li> <li>- Federal Minister for Health</li> <li>- NSW Minister for Health</li> <li>- VIC Minister for Health</li> <li>- Federal Parliamentary secretary for health</li> </ul>                                                                                                                                                                                                                                                                                                                           |
| <b>2004</b> | <ul style="list-style-type: none"> <li>- Hon Chris Pyne, Parliamentary secretary for Health (discuss ABC commitments)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>2006</b> | <ul style="list-style-type: none"> <li>- Andrew Stuart, First Assistant Secretary of the Population Health Division, of the Department of Health (speaker at AusDrinks 2006)</li> <li>- Managing Director &amp; senior staff of FSANZ (speaker at annual board meeting)</li> <li>- General Manager of AFFA (speaker at annual board meeting)</li> <li>- Hon Chris Pyne, Parliamentary secretary for Health (speaker at annual board meeting)</li> <li>- Senator Marise Payne (ABC CEO invited guest of minister for budget night dinner)</li> <li>- Tasmanian Senator Guy Barnett (invited guest of minister at National Obesity forum)</li> </ul> |
| <b>2007</b> | <ul style="list-style-type: none"> <li>- Hon Chris Pyne, Parliamentary secretary for Health (speaker at annual Board Meeting)</li> <li>- AFFA's David Mortimer (participate in board meeting)</li> <li>- Health Shadow Minister Nicola Roxon</li> <li>- Mark Bethwaite and staff of the Department of Health</li> <li>- National Heart Foundation's CEO Dr Lyn Roberts</li> <li>- "Tick Program" National Manager Susan Anderson</li> <li>- Hon. Joe Hockey Minister for Employment Relations (CEO guest of minister for budget day)</li> </ul>                                                                                                    |

<sup>47</sup> Where information is available, further context about the nature of engagement is provided.

|             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2008</b> | <ul style="list-style-type: none"> <li>- Chris Bowen, Assistant Treasurer</li> <li>- Senator Kim Carr, Minister for Industry</li> <li>- Senator Penny Wong, Minister for Climate Change</li> <li>- Parliamentary Secretary Senator Jan McLucas (speaker at annual Board Meeting)</li> <li>- FSANZ managing director Steve McCutcheon and FSANZ senior executives, Melanie Fisher, Dr Paul Brent and Jenny Hazelton (attend annual board meeting)</li> <li>- Jennifer McDonald, GM of Population Health at the DOH (attend annual board meeting)</li> <li>- Richard Souness, GM Food Policy at Department Agriculture Fisheries &amp; Forestry (DAFF) (guest at board lunch)</li> <li>- Meagan Lawson, policy Advisor to Senator McLucas (guest at board lunch)</li> <li>- Steve McCutcheon, managing director of FSANZ (speaker at Aus Drinks 2008)</li> <li>- Tony Richards from the Reserve Bank</li> </ul> |
| <b>2009</b> | <ul style="list-style-type: none"> <li>- Minister Tanner (Finance)</li> <li>- Minister Emerson (Deregulation)</li> <li>- Queensland Minister for Health</li> <li>- Gold sponsor of Diabetes Australia Gala Dinner with guests: Steve McCutcheon (FSANZ), Richard Souness (AFFA) and Kylie Jonasson (DOH)</li> <li>- Hon Judi Moylan (Chair the Parliamentary Diabetes Support Group)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>2011</b> | <ul style="list-style-type: none"> <li>- Australian Competition and Consumer Commission</li> <li>- Ministerial Council for Drug Strategy</li> <li>- Food Regulations Ministerial Council</li> <li>- Federal and state departments for health</li> <li>- Consumer affairs</li> <li>- Police</li> <li>- Food safety regulators</li> <li>- Liquor regulators</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>2014</b> | <ul style="list-style-type: none"> <li>- Senator Nick Xenophon, Independent Senator for South Australia (attend annual board meeting)</li> <li>- Hon Josh Frydenberg, Parliamentary Secretary to the Prime Minister (attend annual board meeting)</li> <li>- Kate Carnell, CEO of Australian Chamber of Commerce and Industry (attend annual board meeting)</li> <li>- Steve McCutcheon, CEO of FSANZ (attend annual board meeting)</li> <li>- FSANZ</li> <li>- Geoffrey Anniston – Deputy CEO of AFGC (attend annual board meeting)</li> </ul>                                                                                                                                                                                                                                                                                                                                                               |

Data sourced from: Australasian Soft Drinks Association (1999, 2000, 2001, 2002); Australian Soft Drinks Association (2003a, 2004); Australian Beverages Council (2005a, 2006d, 2006e, 2007f, 2007g, 2008a, 2008c, 2008e, 2009a); (2011); Australian Beverages Council (2014a).