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Article

Advertising on Video-Sharing Platforms in the Toy and Food Categories in Spain

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Abstract

This article reviews the advertising content on the YouTube channels featuring kid influencers with the highest number of subscribers in Spain. The goal is to observe the evolution of the elements that define this type of content as advertising content, even though the vast majority of the advertising content is not labelled as such. An analysis was conducted of all the videos posted during the 2022 Christmas period on the 15 YouTube channels with the largest audiences, which produced a sample of 61 videos that possessed the pertinent characteristics. Content analysis was applied and the degree to which the content complied with food and toy advertising regulations was examined.

Keywords

advertising; food; influencers; kid influencers; media regulation; self-regulation; toys; YouTube

Issue

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1. Introduction

The business of kid YouTubers originated in 2011 with Evan Snyder, better known on YouTube as EvanTubeHD, one of the pioneering kid vloggers in the US. His channel began to be professionalised when he was eight years old, paving the way for a new commercial venture on YouTube (Counsel for Center for Digital Democracy and Campaign for a Commercial-Free Childhood, 2015; Ramos-Serrano & Herrero-Diz, 2016). Very soon, other children also began to appear on their own channels, such as fouryear-old Ryan whose channel (RyanToysReview) obtained 28.9 million followers (Social Blade, 2023). The current leader in this sector is the top-rated kids' YouTube channel Kids Diana Show with 110 million subscribers, followed by Vlad and Niki with 96.4 million subscribers (De Veirman et al., 2017; Social Blade, 2023). This shift in leadership in this area stems from the fact that the original kids are growing up (as have their followers) and are

no longer of an age to create kids' toy content; they have created a strong personal brand in the market but have had to refocus their product in order to continue monetising their brand (Millet, 2022). At the same time, other kid vloggers have emerged to replace them and are generating new content for other children in channels in which brands from the toy and food sectors are still keen to be present (De Jans et al., 2019; Goldate, 1996; Hartmann, 2004; Hudders et al., 2017; Marsh, 2016). YouTube is the preferred platform for children aged between 4 and 15 years old (Ofcom, 2023; Qustodio, 2020), as well as having the largest amount of entertainment content for this target audience (PWC, 2019).

In our analysis, building on other studies which have looked at kid YouTubers in Spain such as those by Vizcaíno-Laorga et al. (2019), Tur-Viñes et al. (2019), Martínez Pastor et al. (2021), Castillo-Abdul et al. (2020), Bolás et al. (2022), and Nicolás Ojeda (2023), we have observed that the channels initially examined (as from



2015) have been evolving strategically or even disappearing, due to the children featured in them reaching either adolescence or adulthood. In the case of the MikelTube channel (a channel whose stars were two young siblings, featuring toy and video game content), which has 8.8 million followers, even though the stars of the channel are now teenagers, the family has created another channel (FamilyTube) which has 2.2 million followers (as of 2023) where they have centred on the family, not the children, in order to reposition their business and continue using their brand as a source of earnings. Another case is that of Martina D'Antiochia, aged 17 years old, who focuses on other content related to books, food, and travel. This indicates that as a brand they are seeking to produce other content and lead other sectors in order to keep monetising their brand (Millet, 2022). It is also important to analyse the degree to which the YouTube videos comply with the regulations in view of the fact that this is now a consolidated business, that the regulations governing the toy and food categories are increasingly clearer and that these rules should be complied with.

This study will therefore focus on analysing whether the advertising content in the videos is explicitly identified and differentiated from the editorial content as expressed by the European and Spanish legislation, specifically in the case of toys and food. Previous studies have analysed these practices and demonstrated that they were common. However, with the new regulations and the evolution of the YouTuber ecosystem itself, we are interested in ascertaining whether this has changed. Furthermore, we must not lose sight of the fact that those who were kid YouTubers have grown older and many are now in their teenage years; therefore their business is changing during the course of this development, and for us it seems important to identify those changes.

2. Current Status of Research

Araújo et al. (2017) carried out a quantitative analysis of different elements of children's YouTube channels, such as the category of the advertised products, the target audience, and the content and whether it was identified as advertising in the videos. Other work includes that by Craig and Cunningham (2017), who studied the unboxing phenomenon in children's videos, and the research by Marsh (2016), who endeavoured to understand why children feel attracted by content from other children and, in particular, by the unboxing format which aimed to lead viewers to believe it was editorial content. The study by Vizcaíno-Laorga et al. (2021) analyses the channels of Spanish kid YouTubers in which the children interacted with toys with a specific narrative in order to promote them and publicise the brand without their audience identifying that content as being advertising. That study compared the data of the videos under analysis from during and outside the Christmas period, focusing on the channels with the largest follower numbers. The authors viewed 250 channels from 2016 to 2018 and analysed

the brands portrayed, the type of products advertised and the advertising formats used, as well as the marketing resources and potential breaches of advertising legislation by the content (97% of the cases). De Veirman et al. (2019) focused on the need to analyse and promote media literacy among children in order to offer them tools to protect themselves from the marketing practices used by influencers; they defended the importance of increasing the number of studies that analyse the socialising role these practices play in relation to minors and of enhancing children's protection against influencer-based marketing by means of guidelines and regulation. Along the same lines, Garlen and Hembruff (2021) have identified corporate, parental, and social responsibility in protecting childhood "at risk," critical media literacy and children's agency as social actors on the internet as regards to kid YouTubers.

In recent years, another line of research around this topic was interested in the type of food-related products appearing in the YouTube channels of kid vloggers. Folkvord et al. (2022) performed a focused narrative review highlighting the positive effect among children of food promotions and proposed that a promotional strategy be undertaken to increase the appeal of fruit and vegetables among children as brands do, given that their system works. The study by Martínez-Pastor et al. (2021) identified the food products on the YouTube channels of kid vloggers through a comparative study of Spain, the US, and the UK, to discover whether they fostered a healthy diet. Their sample consisted of 450 videos (6,750 minutes) from between 2016 and 2019. Their key findings were that the foodstuffs appearing most frequently (71%) were unhealthy, as opposed to healthy products. The country in which the presence of unhealthy foods was greatest was the US, followed by the UK and Spain. Another study performed by Martínez Pastor and Vizcaíno-Laorga (2023) centres on identifying the healthy foods and habits appearing on the YouTube channels of kid vloggers, as well as the brands, strategies, and gender associated with each food product. There continues to be no clear indication of whether there is food advertising content. Coates et al. (2019) studied how YouTuber food advertising content affects children (aged 10 and 11 years old). Among their findings, they highlighted that children understood that it was advertising content and that this did not bother them and even triggered a positive attitude towards such content. Along these lines, in Spain, Castelló-Martínez and Tur-Viñes (2020, 2021) have also focused on food advertising in the YouTube channels of kid vloggers. Qutteina et al. (2019) identified the advertising for unhealthy foods that children (12 to 18 years old) found on social media. Over one week the children took screenshots of promotional food messages on their mobile phones; a total of 611 images of foods were taken, of which 69% were unhealthy foods. In many of these, the consumption of the foods was associated with social activities such as eating and having fun with friends. Attention must therefore be paid to this



platform as a matter of urgency to safeguard children from content that is unsuitable for a healthy diet. Coates et al. (2019) examined the impact of influencers eating unhealthy foods and how this was reproduced by the children who viewed them; curiously, seeing healthy foods did not encourage their intake. They called on the public administration, video-sharing platforms (VSPs), and influencers to take measures regarding these kids' channels.

Under both European regulations and national regulations in Spain, covert advertising has always been forbidden—the directive concerning unfair commercial practices, the audiovisual media services directive and Spain's Unfair Competition Law 3/1991, of 10 January (1991). Despite this prohibition, on YouTube, as earlier research has indicated, the commercial nature of the advertising content has seldom been clearly stated. In addition, at the present time, the sector (VSP content creators) is not clearly regulated. Although the European Union's Audiovisual Media Services Directive (2018) expressly mentioned content creators, the reality is that the transposition of the directive into Spanish law, through Spain's General Audiovisual Communication Law 13/2022, of 7 July ([LGCA], 2022), fails to resolve the question of what an influencer is and how to regulate them. In fact, in this very recent legislation, so-called influencers, vloggers, or opinion leaders are referred to as "usuarios de especial relevancia" (literally, "particularly relevant users"; Law 13/2022 of 7 July, 2022, Article 94) and have come to be considered, as in the case of VSPs, audiovisual communication service providers. This is, at the very least, striking and contradictory, because while it equates—at a legal level—influencers with large audiovisual corporations, it exempts the latter (VSPs) from any responsibility with regard to illegal or harmful content. This approach pays no heed to the fact that their business is based on the content uploaded by the content creators. The law is very imprecise, as it does not specifically define essential elements, such as what it means to say by "ingresos significativos" ("significant income"; Law 13/2022 of 7 July, 2022). Indeed, it fails to indicate the threshold or point over which it can be considered that the economic return is significant nor the instant when, in what is also an extraordinarily changeable environment, income should be calculated in each case (Andersen, 2022). Thus, in truth, this situation leads to considerable uncertainty about what should understood by "particularly relevant users," and is an issue that must be developed by each country. In addition, according to the legislation, the function of the service provided (in order to be considered a particularly relevant user) must be confined to three very specific objectives: informing, entertaining, or educating. This would imply that influencers whose videos are simply advertising (even if they are also entertaining) are left outside of that category, which, in point of fact, does not seem to be the spirit of the law. The European Regulators Group for Audiovisual Media Services (ERGA) has published the report on its workshop discussing the regulation of vloggers on VSPs (ERGA, 2020) in which it highlighted the limited regulation in place regarding influencers and, more recently, the report *How to Identify and Localise Vloggers and Regulate Their Commercial Communication?* (ERGA, 2022) indicates how the directive to identify influencers has been transposed into law in various countries.

The most important parties in the advertising ecosystem are, on one hand, video-sharing service providers (which we have already mentioned) and, on the other hand, the users who create this video content. The former offer video sharing services through their platforms, the main function of which is to host that content (created by different users and aimed at the general public). This is the case of YouTube, TikTok, Instagram, and Twitch, which—as explained above—have no editorial responsibility over the content of those materials (Law 13/2022 of 7 July, 2022, Article 2). This lack of responsibility is due to the fact that they do not have the power to dictate the programming (something that is, however, part of the traditional media, which does schedule the timetable for the content broadcast and therefore does have a degree of responsibility), and instead are limited to organising the videos based on presentation, tagging, and sequencing. By contrast, users who are video creators (such as YouTubers or Instagrammers) are responsible for the content they upload, including advertising material, regardless of the format.

While VSPs should clearly inform users about the advertising content appearing in their videos, this will only be an obligation if the platform is aware of the commercial purpose of the content contained within it, either because they have been notified by the user who uploaded the material or because they have been made aware of it by other means, such as a third-party complaint (Law 13/2022 of 7 July, 2022, Article 91.3; and Law 34/2002 of 11 July, 2002, governing information society and electronic commerce services).

At this point, we have to clarify that VSPs host two types of advertising: On the one hand, the advertising formats for the platform itself, which each platform controls directly, has to announce, and is responsible for; and on the other, the advertising contained in the content created by users (Lambrecht et al., 2018), notification of which is not the obligation of the VSPs and nor are they responsible if it is illegal unless they have been informed about this by those who upload it or by a third party. This seems unreasonable due to its limited effectiveness. It would be more consistent with the law if the platforms could require all those who upload a video to indicate what advertising their material contains, so that the platform is truly aware and, if those uploading did not reveal this, that there are consequences for the corresponding content creators, as expressed by the Spanish competition regulator, the National Markets and Competition Commission (Comisión Nacional de los Mercado y la Competencia, 2020), even if this meant that platforms would have to develop appropriate technologies or



implement protocols to identify and detect all manner of advertising formats. We understand that this type of issue does not solely depend on the understanding or good reasoning of the users, as provided by Article 91.3 of the LGCA (2022). The LGCA is restrictive as regards permitted and prohibited content in audiovisual media, especially in relation to children and adolescents (law 13/2022 of 7 July, 2022, Articles 88 and 89). In fact, minors are protected from products that may negatively affect their health or that do not foster healthy eating habits, while they are encouraged to eat a balanced diet and do physical exercise—the POAS Code, a Spanish code on co-regulation of advertising of foods and drinks aimed at children, prevention of obesity and health (Federación Española de Industrias de Alimentación y Bebidas, 2012). In addition, this standard cannot be understood without taking into account the rest of the self-regulating codes and standards governing advertising that targets children such as, with regard to toy advertising, the Toy Advertising Self-Regulation Code (Código de Autorregulación de la Publicidad Infantil de Juguetes [CAPIJ]; Asociación Española de Fabricante de Juguetes, 2022).

Several articles of the CAPIJ from the Spanish Toy Manufacturers' Association have been amended to improve the safeguarding of children and the advertising content they consume (Asociación Española de Fabricante de Juguetes, 2022). The main changes to the code, updated in 2022, can be separated into four categories: (a) relating to the product's appearance (it must be clearly indicated what its characteristics are, if assembly is required, if it needs batteries, if it comprises accessories, etc.); (b) relating to the message (they should not generate gender roles or expectations of social success, or encourage immediate consumption through words and phrases such as "now" or "right away"); (c) relating to advertising (it must be identified as such, with clear expressions that are easily understood by children); and (d) relating to understanding the adverts (they must be tailored to the age of the children being targeted, with visibly legible texts of a clear size displayed for a specific length of time to enable reading). The food advertising that appears on kid YouTuber channels must respect the prevailing legislation and the PAOS Code, which determines limitations on advertising messages, focusing on: (a) the product (it must avoid unhealthy habits, replacements for healthy habits, and it cannot portray exaggerated behaviour); (b) the characters portrayed (the influencers, or opinion leaders, who appear in the adverts must not abuse the trust placed in them by the children); and (c) the message and values (they must avoid dangerous situations, encouraging consumption and creating expectations, and must take care with the language used and other persuasive messages such as prize draws or kids' clubs; Serrano Maíllo & Martínez Pastor, 2023). In addition, all advertising content must be clearly differentiated from the editorial content according to the Spanish legislation the General Advertising Law 34/1988,

of 11 November, and the Unfair Competition Law 3/1991, of 10 January (1991), as well as the recent LGCA (2022) and the Code of Conduct on the Use of Influencers in Advertising (Asociación Española de Anunciantes & Autocontrol, 2020), which all state that advertising must be clearly indicated through clear text or audio formats.

3. Objectives and Hypotheses

The main objectives of the study are two-fold. Firstly, it is to quantify the presence of promotional content for toys and food present in the videos posted on the YouTube channels with the highest number of followers in Spain featuring kid YouTubers, during the 2022 Christmas period. For this, we: (a) analyse the presence of promotional content compared to entertainment content according to the total number of videos posted per channel; and (b) identify the channels which have the highest number of promotional videos posted during the analysed period.

The second objective is to review the degree to which these videos comply with the regulations of toy and food advertising in Spain, in light of the LGCA, the CAPIJ, the Code of Conduct on the Use of Influencers in Advertising (Asociación Española de Anunciantes & Autocontrol, 2020) and the PAOS Code, in order to be able to establish a discussion about the worth of the new regulations in terms of their application and the commercial nature of this content during the 2022–2023 Christmas period.

The initial hypotheses are:

H1: The commercial content present in kid YouTuber channels continues to be posted as editorial and entertainment content. Only in some cases is it identified as commercial, promotional, or advertising content.

H2. The products advertised in this type of format mainly belong to the product categories of food and toys.

H3: The advertising content of these videos is not in line with the regulations currently in force or the self-regulation codes.

4. Methodology

The methodology used was exploratory and descriptive (Araújo et al., 2017; Craig & Cunningham, 2017; Marsh, 2016). An analysis sheet was designed to examine the content of the videos in the sample (Martínez & Nicolás, 2016; Nansen & Nicoll, 2017; Vizcaíno-Laorga et al., 2021), the variables of which attempt to group the results into three major areas, in line with the division of the objectives of the study. The first block of variables contains the profile and advertising elements of the channel. The second block analyses the variables associated



with the regulations governing toy and food advertising in Spain (Table 1). The sample for the study was made up of 15 Spanish kid YouTuber channels. The collection and analysis of the data were performed manually using codifiers.

The criteria and sources for selecting the channels and the content were the following: We consulted, on one hand, the ranking of YouTubers compiled by Social Blade, filtered by using the criterion of "coun-

try: Spain," and, on the other, the YouTuber ranking published by marketing4ecommerce on its website (Basteros, 2023).

The criteria for selecting the channels consisted of: The top 10 channels in each of the selected rankings starring kid YouTubers; and other popular kid YouTubers not present in those rankings, whose videos attract similar audiences to those of the channels in the top 10 for the sources used.

Table 1. Codebook.

| | Codebook | | | |
|--|---|--|--|--|
| | Block 1: Advertising profile of the channel | | | |
| Channel | Name of the YouTube channel | | | |
| Address | Record of the web address | | | |
| Title | Name of the video | | | |
| YouTuber | Name of the YouTuber | | | |
| Date | Date the video was posted on the channel | | | |
| Views | Number of views when the video data was logged | | | |
| Type of product advertised | (1) Toys(2) Food(3) Multi-product (when the video contains advertising for more than one product) | | | |
| Product | Record of the trade names of the products in order of appearance | | | |
| Product category | (1) Toys: 1.1 Toys and accessories; 1.2 Model vehicles; 1.3 Sports; 1.4 Animals; 1.5 Action figures; 1.6 Other figures; 1.7 Electronic toys; 1.8 Toy weapons (guns, swords, etc.); 1.9 Building and construction toys (2) Food: 2.1 Chocolates and sweet bakery products; 2.2 Snacks and crisps; 2.3 Carbonated beverages; 2.4 Other foods (3) Multi-product: 3.1 Books; 3.2 Fashion; 3.3 Merchandising; 3.4 Travel; 3.5 Other | | | |
| | Block 2. Regulations | | | |
| Is it indicated through a caption that the video contains advertising or if it is sponsored? | Yes/No | | | |
| The name of the product is indicated in the video's title | Yes/No | | | |
| Informational caption about the use of batteries, USB ports, or internet connection | Yes/No | | | |
| References price | Yes/No | | | |
| Differentiation between products and accessories, such as "sold separately" | Yes/No | | | |
| Creation of male stereotypes | Yes/No | | | |
| Generating gender roles (nurses—girls, technology—boys, etc. [Asociación Española de Fabricante de Juguetes, Article 37]) | Yes/No | | | |
| Generating gender roles: Use of colour | Yes/No | | | |
| Observations and comments | Section created to collect explanations about the situations identified for each cod | | | |



The criteria for selecting videos and content was the time period: The period of study centres on Christmas 2022 (videos published between 1 December 2022 and 7 January 2023). For the final selection of the sample, all the videos posted on the channels during the selected period were viewed. The total number of videos viewed was 114, while the total size of the sample was made up of 61 videos from 15 different YouTube channels (Spain).

The analysis sheet was created in accordance with previous work carried out by Martínez Pastor and Vizcaíno-Laorga (2023) and by Martínez-Pastor et al. (2021) in which the authors examined whether kid YouTubers communicated healthy eating habits or not and under what conditions, whether they promoted brands, and whether they abided by the legislation. The study by Vizcaíno-Laorga et al. (2019) analysed different lines of research into advertising and children in Spain in the last 10 years. Furthermore, and along the same lines, in the article by Tur-Viñes et al. (2019), the authors performed a systematic review of young influencers, carrying out an analysis of 65 academic articles published since 2008 in which they analysed motivation for use, type of content, and parental intermediation, as well as the pending legal, regulatory, and educational aspects and the marketing strategies used by brands and their effects. Another study by Martínez Pastor et al. (2021) focused on analysing the type of family portrayed on the YouTube channels of children aged under 14 years old in Spain, the US, and the UK. They analysed a total of 450 videos from 15 channels from 2016–2018. The main findings were that the media representation of family members continues to maintain a traditional family structure, cultural differences in how the family participates in the videos according to the country, and the presence of the father or mother as a co-star.

5. Results

The order in which the results have been presented seeks to demonstrate, in quantitative terms, how the advertising relationship between the main young Spanish YouTubers and toy product brands remains active during the Christmas period, while also demonstrating how this has been supplemented by a relationship with food product brands. Furthermore, it highlights the relationship between the total volume of videos published and the volume of videos with advertising content of each channel, with the aim of showing which channels favour publishing videos with advertising content over posting entertainment content during this period (Table 2). Subsequently, this work identifies and classifies the videos according to product category, so as to demonstrate in which cases the videos: focus solely on toy advertising or solely on food advertising; present multiple products from a single category; advertise more than one category (foods and toys); and advertise products that belong to neither of these categories (Table 3). One of the results that this article seeks to highlight, due to its importance with regard to the legislation that regulates this activity, is in which cases these videos acknowledge that they contain commercial content. To this end, of the most viewed videos containing advertising content, the results show how many identify in some way that the video contains advertising and how many of them identify their commercial nature in the video title (Tables 4 and 5). Lastly, the article analyses a sample of cases that demonstrate how these types of videos continue to contravene some of the laws and regulations that regulate the advertising elements of their content, such as gender-based differentiation by colour or the use of products that are hazardous to children.

5.1. Presence of Brands and Products by Channel

As can be seen in Table 2 the channels with the most videos posted during the analysed period are Vanesa Basanta, Karina & Marina, El mundo de Indy, Mika Sofi BOMS, Las Aventuras de Dani y Evan, FamilyTube, and ArantxaParreño. These data coincide almost entirely with the data that lists the channels in order according to the number of videos they posted containing content that may be construed as advertising. However, it was observed that despite Las Ratitas and SaneuB channels not being those with the largest number of posts, all of their videos contain some kind of advertising.

5.2. Product Category

The two categories with the highest number of videos are "multi-product" and "toys." Although the multi-product category records products such as books, fashion, or make-up, in all of them there are toys that complement the carousel of products that appear. This demonstrates the sway that toy advertising still has in the production of this content, despite the evolution of these channels and the increase in age of the original young YouTubers. This is due to the fact that most of these videos are located in family- or group-based channels which are associated with consumers of different ages: children, teenagers, and families. The presence of videos that contain food products is limited compared to toys as just seven cases (11%) were observed, of which only one encouraged good eating habits (see Table 3).

5.3. Identification of Advertising

We observed that just 30% (18/61) of the videos indicated by text in the description, overlaid over the video or verbally that the video contains advertising content. This practice occurs mainly in the "toys" category, although only 50% of the videos in this category indicated this situation, rising to 72% for "dolls and accessories" in particular (Tables 4 and 5).

Analysis of the most viewed videos reflects several pieces of information of interest. First of all, it is



Table 2. List of products according to channel.

| YouTuber/Channel | Total videos posted | % | Total videos posted with sponsored content detected | % | Videos with advertising content out of total videos posted (%) |
|------------------------------|------------------------|------|---|------|--|
| Las Ratitas | 3 | 3% | 3 | 5% | 100% |
| SaneuB | 2 | 2% | 2 | 3% | 100% |
| Team Nico | 6 | 5% | 4 | 6.5% | 67% |
| Vanesa Basanta | 12 | 11% | 6 | 10% | 50% |
| MikelTube | 7 | 6% | 4 | 6.5% | 57% |
| LeoTube | 7 | 6% | 3 | 5% | 43% |
| FamilyTube | 8 | 7% | 5 | 8% | 63% |
| Arantxa Parreño | 8 | 7% | 5 | 8% | 63% |
| Familink | 5 | 4% | 3 | 5% | 60% |
| NenoFamily | 5 | 4% | 3 | 5% | 60% |
| Mika Sofi BOMS | 9 | 8% | 3 | 5% | 33% |
| Karina & Marina | 13 | 11% | 4 | 6.5% | 31% |
| El mundo de Indy | 11 | 10% | 7 | 11% | 64% |
| Las Aventuras de Dani y Evan | 11 | 10% | 4 | 6.5% | 36% |
| Jugando con Abby | 3 | 3% | 2 | 3% | 67% |
| El mundo de Clodett | 4 | 3.5% | 3 | 5% | 75% |
| Total | 114 | 100% | 61 | 100% | 54% |

noteworthy that eight of the 10 most viewed videos had achieved over one million views at the moment when the videos were logged. However, only five clearly indicated that it was a sponsored or advertising video. This circumstance only occurs when the product category is that of "toy" or "toy shop" (Table 4).

5.4. Compliance with legislation

Almost none of the videos analysed expressly indicated that the product being advertised required assembly,

that it included batteries (or not), or that the accessories shown are included in the product purchase or are sold separately. We can only interpret that some videos do express that assembly is required when they explicitly demonstrate that assembly is part of the playing process (Figure 1).

As regards to the use of colour associated with building gender roles, the identifying of products by colour, generating expectations, social success, or encouragement of consumption, several different noteworthy situations were observed. These included a trend of creating

Table 3. Product categories most present in the videos sampled.

| Product category | Number of videos | % | Products associated with the category |
|------------------------|------------------|------|---|
| Food | 7 | 11% | Chocolate bars (1), snacks (1), biscuits (1), crisps (1), carbonated soft drinks (1), sweets and biscuits from other countries (1), healthy food (1) |
| Toys | 21 | 34% | Dolls and accessories (11), board games (10) |
| Toys and food | 3 | 5% | Chocolates (1), toy guns (1), sweets(1) |
| Multi-product | 22 | 35% | Board games (5), Christmas decoration (1), merchandising (1), toy stores (2), fashion, clothing, and accessories (7), electronic products (1), swords (2), music (3), events (1), video games (1), gifts from the Three Kings (6) |
| Books | 2 | 3% | |
| Events/Amusement parks | 4 | 6.5% | |
| Video games | 2 | 3% | |
| Total | 61 | 100% | |



Table 4. Identification of advertising and presence in videos' titles.

| Channel | Category | Туре | Name in the title |
|------------------------------|---------------|---|-------------------|
| Las Ratitas | Toys | Toys and accessories | Yes |
| | Toys | Electronic toys | No |
| SaneuB | Toys | Toys and accessories | No |
| MikelTube | Toys | Dolls and accessories | Yes |
| | Toys | Dolls and accessories | Yes |
| | Video games | Video games | Yes |
| LeoTube | Toys | Dolls and accessories | Yes |
| | Toys | Dolls and accessories | Yes |
| FamilyTube | Toy shop | Toy shop | Yes |
| TeamNico | Food | Institutional campaign: Opromar, Superpeixiño | Yes |
| Vanesa Basanta | Toys and food | Toys and food | Yes |
| El mundo de Indy | Toys | Toys and accessories | No |
| Karina & Marina | Toys | Boardgames and music | No |
| | Toys | Boardgames and music | No |
| | Multi-product | Boardgames and music | No |
| NenoFamily | Toys | Cars | No |
| Las Aventuras de Dani y Evan | Toys | Dolls and accessories | Yes |

Table 5. Top ten videos viewed.

| Ranking | Channel | Title of the video | Views | Product category | Is it identified as advertising? |
|---------|----------------|--|-----------|------------------|----------------------------------|
| 1 | FamilyTube | 24h en Tienda de Juguetes (24 hours in the toy shop) | 4,951,491 | Toy shop | Yes |
| 2 | FamilyTube | GADGETS de INTERNET Feria en casa (INTERNET GADGETS Fair at home) | 2,469,900 | Multi-product | No |
| 3 | LeoTube | Leo prueba algunos sets de PLAYMOBIL para estas navidades con su familia (Leo tries out some PLAYMOBIL sets for this Christmas with his family) | 2,325,951 | Toys | Yes |
| 4 | FamilyTube | <i>Día de Reyes Magos 2023</i> (The Three Kings' Day 2023) | 1,812,697 | Multi-product | No |
| 5 | LeoTube | Leo y Mikel descubren los Nuevos SMASHERS Dino Island (Leo and Mikel discover the new SMASHERS Dino Island) | 1,791,677 | Toys | Yes |
| 6 | MikelTube | Mikel Estira Goo Jit Zu y descubre Thrash Mobile (Mikel stretches Goo Jit Zu and discovers Thrash Mobile) | 1,717,078 | Toys | Yes |
| 7 | FamilyTube | Olimpiadas Navideñas en Casa (Christmas Olympics at Home) | 1,143,940 | Toys and food | No |
| 8 | FamilyTube | Probando Dulces de Noruega (Testing Norwegian Sweets) | 950,239 | Food | No |
| 9 | MikelTube | 24h de Construcción LEGO StarWars (24h of Building LEGO StarWars) | 945,217 | Toys | Yes |
| 10 | Vanesa Basanta | EL QUE MEJOR LO DIBUJE SE LO QUEDA *REGALOS DE NAVIDAD* (WHOEVER DRAWS IT BEST GETS TO KEEP IT *CHRISTMAS PRESENTS*) | 777,550 | Multi-product | No |





Figure 1. Video 24h de Construcción LEGO StarWars (24h of Building LEGO StarWars).

videos, which can be considered a category or video format, where the classification of the products or the execution of the activities revolve around product colour. This situation is made evident from the title of the video itself and although they cannot be considered videos which as a whole foster or associate gender roles according to product colour, certain situations were observed where this was the case, highlighting the presence of the brand involved in the challenge and the classification of the products associated with the colour and gender of the person (Figure 2). We observed four videos in which this situation is noteworthy, where their titles indicated the classification of the toys based on their colour, the person and the consumption time frame (Christmas): Abriendo Regalos de Navidad de 1 Solo Color (Opening Christmas Presents of a Single Colour); Comprando Todo de un Solo Color: Azul vs Rojo/Stitch VS Mickey Mouse (Buying Everything in Just One Colour: Blue vs Red/Stitch vs Mickey Mouse); Comprando Todo de un Solo Color para Navidad: Rojo vs Verde (Buying Everything in Just

One Colour for Christmas: Red vs Green); *Comprando Todo de Mickey Mouse vs Harry Potter: Regalos para un Amigo Invisible* (Buying Everything of Mickey Mouse vs Harry Potter: Secret Santa gifts).

No encouragement of consumption was observed associated with clubs, prizes, competitions, or prize draws, although a trend was observed of projecting a compulsive accumulation of toys or products in the "multi-product" category. When reviewing their titles and content, it was noted that several define their activity as discovering, opening, and showing off the gifts from the Three Kings or Santa (Figure 3), therefore acting like a catalogue of numerous and varied products and brands associated with the age of each of the featured children. In certain cases, it was observed that the same toys shown in the videos about Santa were repeated among the Three Kings' gifts, with this situation occurring among videos on the same or sister channels.

The presence of risky situations is almost non-existent in the sample, although certain scenarios were



Figure 2. Video *Comprando Todo de un Solo Color: Azul VS Rojo/Stitch VS Mickey Mouse* (Buying Everything in Just One Colour: Blue vs Red/Stitch vs Mickey Mouse).



Figure 3. Screenshots of several analysed videos.



observed that are worthy of mention. These are related to the presence of products such as swords or scooters for adults where although the recipient of the gift meets the legal age requirement for having or using the gift, these activities may be considered dangerous or inappropriate given the characteristics of the product, the channel's audience, and the participation in the activity by a child aged under 15 years old (Figure 4).

Ultimately, this work only detected seven videos from the analysed period that portray or promote the consumption of food products. Of these, two were identified as advertising videos and in both the fostering of good dietary habits was observed. The rest of the situations feature fast food products, sweets, or food products from Korea or associated with the Christmas advertising context, such as chocolates or biscuits (Figure 5).

6. Discussion and Conclusions

We centre our discussion on the continued and high degree of non-compliance with the regulations detected in this study. Firstly, very few videos identify their advertising content as such despite Spanish legal regulations expressly indicating this and prohibiting, as illegal advertising, covert advertising—the General Advertising Law 34/1988, of 11 November, and the Unfair Competition Law 3/1991, of 10 January (1991), as well as the LGCA (2022), the Code of Conduct on the Use of Influencers in Advertising (Asociación Española de Anunciantes & Autocontrol, 2020), and the Toy Advertising Self-regulation Code (Asociación Española de Fabricante de Juguetes, 2022). The advertising practices analysed here are an indication of a widespread reality on social media which has been clearly defined as unfair (article 26 of Spain's Unfair Competition Law 3/1991, of 10 January (1991), which was modified in 2022) and therefore illegal, due to these being covert commercial practices (Lambrecht et al., 2018; Martínez-Pastor, 2019). This approach coincides with the position of Spain's Ministry of Consumer Affairs, specifically its Subdirectorate-General for Inspection and Sanctioning Procedures, which requires YouTubers to pay tax on any profit obtained (Ministry of Consumer Affairs, 2023). In Spain, a number of different web pages have been created to explain how to report such practices, by alerting either the social media platforms themselves or the various user and consumer associations who may start legal proceedings if the advertising affects a collective interest of users (Comunidad de Madrid, 2023). The consequences for influencers who breach the regulations include fines of more than €100,000 or their social media account being closed.

Furthermore, Autocontrol has, in many different resolutions, indicated that advertising must be clearly identified with verbal or textual wording as being advertising (such as "publicidad" or "publi"—"advertisement" or "ad"), with unclear names such as "info," "legal," "brand," or "slogan," and links that lead to the advertised brand being unacceptable (Autocontrol, 2019, 2021, 2022, panel decisions dated 28 November, 5 March, and 15 September, respectively). This situation is observed particularly in the videos classified as "multi-product." This is so because it is difficult to assess how many products and brands among those appearing in the videos have been featured following an economic agreement reached with the channel. Although it was observed that the videos that identify themselves as being advertising content do so in a clear manner, the diverse nature of collaborations between brands, products, and kid YouTubers hampers the ability to define all these videos as being advertising and, even more so, the ability to assess to what extent the regulations (consisting of the different codes that regulate these practices) need to evolve. Likewise, on occasions, the self-regulatory code regarding advertising toys to children fails to be respected. Thus, although there is a trend towards





Figure 4. Videos: (a) Abriendo Regalos de los Reyes Magos 2023!!! (Opening Gifts From the Three Kings 2023!!!); and (b) Abrimos los Regalos de Papá Noel 2022!!! (We Open the Gifts from Santa 2022!!!) https://n9.cl/15dhx



Figure 5. Food products: Compilation of clips from different videos.



equality, the use of sexist stereotypes persists in these channels. The colour pink, dolls, and beauty products are associated with female influencers and competition or strength with male influencers. These channels also continue to have little regard for the regulations which are however respected in other media formats (such as the television), where explanations are provided as to whether the advertised product comes with batteries, requires assembly, or includes accessories. These are elements of advertisements which under the regulations must be fulfilled in any advertising messages. However, in the platforms, it seems that they follow different guidelines than the regulations, as is shown in the example in which a katana appears as a Christmas gift.

Although this is not habitual in all channels, there are some videos, within the "multi-product" category, where the YouTubers move through the walkways with toys from shopping centres and select the products based on the colour associated with the gender of the person who chooses it, which is reminiscent of the traditional classification of products by colour used by Christmas toy catalogues to identify consumer gender. In addition, on occasion and in relation to healthy habits, it does not seem that certain creators pay attention to the PAOS Code either, given that they are promoting unhealthy food. While it is true that the narratives of these channels are always entertainment-based, their animus jocandi does not always justify content that clashes with the current legislation pertaining to identifying advertising and to protecting children with regard to the toys portrayed and healthy habits. This is the case with certain occasions of promoting obesity by showing eating obsessively as a type of game and promoting unhealthy habits through products with an excess of refined carbohydrates, sugars, trans fats and colourants, additives, and preservatives (which are generally artificial).

There are clearly boundaries that are being overstepped. This should be limited by those who promote the self-regulation codes and by the administration, so that the rules are clear. There is no point in regulations that are applied in the way that appears to have been happening for years in this medium.

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Conflict of Interests

The author declares no conflict of interests.

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