

The Health and Care Bill: Briefing paper

Second Reading – 16th July 2021

The Health and Care Bill contains provisions to limit unhealthy food and drink adverts on TV and online to protect children's health.

The Obesity Health Alliance is a coalition of 45 health organisations including British Heart Foundation, Cancer Research UK, Diabetes UK and medical royal colleges. **We support the Government's plan to ensure only adverts for healthier foods and drinks are seen by children.**

Summary

- A 9pm watershed on adverts for food and drinks high in fat, sugar and salt (HFSS), on TV plus a ban on paid for advertising online will be introduced by the end of 2022.
- The new rules will only apply to sugary and high calorie foods that contribute the most to children's sugar and excess calorie intakes – e.g. biscuits, crisps, chocolate and pizza.
- Small and medium businesses will be exempt from the rules, as will companies' 'own' media channels (e.g. their websites and social media pages).
- This policy is a part of a package of measures announced in the 2020 'Tackling Obesity' strategy which outlined bold action to address the multiple drivers of obesity.

Why the Government must act to restrict junk food advertising

- Children's health is being affected by high levels of obesity. One in three children in England are above a healthy weight when they leave primary school.¹ Children from deprived areas are more than twice as likely to have obesity than their more affluent counterparts¹. Addressing obesity will support Government ambitions to level up society.
- Children with obesity are five times more likely to become adults with obesity,² increasing their risk of developing a range of conditions including type 2 diabetes, cancer, heart and liver disease.
- Rising levels of obesity is stretching the NHS and society with direct costs in excess of £5.1 billion each year and indirect costs (due to lost productivity, unemployment and social welfare) estimated at £27 billion³.

This is an effective, evidence-based policy

- Food companies spend millions every year on a range of different marketing techniques to help keep junk food in the spotlight - they would not do this if advertising does not work.
- A wealth of evidence shows there is a clear link between food advertising and the food children prefer⁴. Advertising influences what food children eat⁵, how much they eat and leads to them 'pestering' parents to buy unhealthy products⁶.
- Almost half (47.6%) of all food adverts shown on commercial TV channels in September 2019 were for HFSS products⁷. This rises to almost 60% during the 6pm to 9pm slot – the time slot where children's viewing peaks.
- Research shows children are exposed to over 15 billion adverts for HFSS products online every year⁸. This exposure is only set to surge with children increasingly spending more time online⁹.

An incentive for the food industry

- Healthier food can still be advertised. Cancer Research UK analysed HFSS food adverts shown on commercial channels and found nearly 80% of the adverts were from companies who had an alternative healthier product in their portfolio or from retailers who could easily switch to including non-HFSS products in their advertising.¹⁰
- The new rules will give food companies an increased incentive to reformulate their existing products or invest in healthier new product development.
- After bringing in junk food advertising restrictions across the Transport for London network revenue actually went up by £2.3million¹¹.

Government plans to ensure children only see adverts for healthier food has public support

- 74% of the public support restricting adverts for junk food before 9pm on TV and online¹².

Obesity and overweight have become the norm in our society. Obesity is a complex issue with many causes, including genetics, but one of the biggest influences is the world we live in. The Government can play a key role in helping to shape an environment that makes it easier for everyone to be healthy.

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¹NHS Digital (2019). Health Survey for England. Accessible at: <http://healthsurvey.hscic.gov.uk/data-visualisation/data-visualisation/explore-the-trends/weight.aspx?type=child>

²Simmonds M, Llewellyn A, Owen CG, Woolacott N. Predicting adult obesity from childhood obesity: a systematic review and meta-analysis. *Obes Rev.* 2016 Feb;17(2):95-107.

³McKinsey & Company (2014). Overcoming obesity: An initial economic analysis.

⁴Public Health England (2015). Sugar Reduction: the evidence for action. Accessible at:

<https://www.gov.uk/government/publications/sugar-reduction-from-evidence-into-action>

⁵Boylard E, Nolan S, Kelly B (2016). Advertising as a cue to consume: a systematic review and meta-analysis of the effects of acute exposure to unhealthy food and non-alcoholic beverage advertising on intake in children and adults. *Am J Clin Nutr.* 103(2):519-33.

⁶Hastings, G. (2006). The extent, nature and effects of food promotion to children: a review of the evidence. WHO 16.

⁷Cancer Research UK (2020) Analysis of revenue for ITV1, Channel 4, Channel 5 and Sky One derived from HFSS TV advertising spots in September 2019. Accessible at:

https://www.cancerresearchuk.org/sites/default/files/cruk_report_on_sept19_nielsen_tv_ad_analysis_-_final22july20.pdf

⁸DCMS & DHSC (2021). Consultation outcome

Evidence note. Available at <https://www.gov.uk/government/consultations/total-restriction-of-online-advertising-for-products-high-in-fat-sugar-and-salt-hfss/evidence-note>

⁹House of Lords (2020). Covid-19: Lockdown measures and children's screen time. Accessible at:

<https://lordslibrary.parliament.uk/covid-19-lockdown-measures-and-childrens-screen-time/>

¹⁰Cancer Research UK (2020) Analysis of revenue for ITV1, Channel 4, Channel 5 and Sky One derived from HFSS TV advertising spots in September 2019. Accessible at:

https://www.cancerresearchuk.org/sites/default/files/cruk_report_on_sept19_nielsen_tv_ad_analysis_-_final22july20.pdf

¹¹Transport for London Advertising Report 2018/19 and 2019/20. Available at: <http://content.tfl.gov.uk/advertising-report-2018-20-acc.pdf>

¹²Obesity Health Alliance (2020). 74% of the Public Support Government Action on Obesity in the Wake of Emerging Links with COVID-19.