



Maggie Throup MP

Parliamentary Under Secretary of State for Vaccines and Public Health
39 Victoria Street
London
SW1H 0EU

31st August 2022

Dear Maggie Throup MP,

RE: LOCAL AUTHORITY DIRECTORS OF PUBLIC HEALTH CALL TO PUSH THROUGH MARKETING RESTRICTIONS ON LESS HEALTHY FOOD AND DRINK TO REDUCE HEALTH INEQUALITIES AND LEVEL UP THE NORTH OF ENGLAND

Thank you for your correspondence from 7th of July 2022.

We acknowledge the Government's pledge to halve childhood obesity by 2030, and we welcomed this ambitious target when it was announced a number of years ago. However, data shows that to achieve this goal, UK childhood obesity prevalence will need to fall at an average rate of 4.2% year-on-year, every year until 2030.

In your response, you cite the latest childhood measurement programme data, which showed a 5% *increase* in levels of obesity in both reception and year 6 children. We strongly believe that further delays to implementation of these important regulations is unwise at this point given the huge challenges we are facing with childhood obesity. Therefore, we are reiterating our call for regulations detailed in the Queen's speech to be implemented without delay.

We are relieved to hear that the proposed restrictions on location-based promotions will still be going ahead in October 2022. We commend the Government for taking this bold and important action which will play an important role in taking junk food out the spotlight. However, it is important to recognise that this legislation will only address one piece of the complex jigsaw in preventing unhealthy weight, whilst wider benefits will be hindered without further legislation that addresses other marketing channels, including as price promotions, TV, and online media.

We understand there are concerns regarding the introduction of restrictions on multibuy promotions of less healthy food at a time where the cost of living is rising steeply. However, evidence already demonstrates that this legislation will not impact negatively on families with regards to the increased cost of living. Specifically:

- The promotions legislation only applies to multibuy deals i.e. BOGOF or 2 for the price of 3 deals. It does not include discounted price (i.e., just £1, now 79p) offers.
- Multibuy deals make up a much smaller share of the current price promotions compared to discounted price. Public Health England's own commissioned research from Kantar in 2018 found that multibuys accounted for just 9% of spend. This is because many supermarkets have removed these deals entirely from their stores.
- Furthermore, the data showed that the net saving from the multibuy promotions was just £14 a year or 27p a week. Even in the current climate, this is not a notable saving, particularly when there are health gains to be made from withdrawing them as we know the multibuys that do exist are often found on 'less healthy' products such as biscuits.



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Supermarkets, including Tesco and Sainsburys, have signalled their intention to be part of the solution by going ahead with introducing price promotions restrictions this October, despite delays in legislation. Tesco's own consumer data shows that these offers lead to people buying more than they need on less healthy products, whilst their customer research shows 77% of their customers want supermarkets to help them purchase healthier foods instead. These leading businesses have taken a stand in the interest of their customers' pockets, but also health.

We also reject the notion that delaying marketing restrictions on TV and online will soften the cost-of-living impact. We do not believe there is sufficient evidence or justification for this delay, especially when there is so much to gain from taking junk food out of the spotlight across various forms of media. Evidence from the ban on less healthy advertising across the Transport for London network provides an insight into these potential gains. Modelling data from a recent study reveals that since the ban was implemented in 2019, this intervention has resulted in 94,867 fewer cases of obesity, 2,857 cases of diabetes prevented or delayed, and 1,915 fewer cases of cardiovascular disease¹. In response to your letter, we would be keen to see any evidence demonstrating that delays to important marketing restrictions will soften the cost-of-living impact.

As organisations working closely with partners to address overweight and obesity, we want to work *with* the Government to effectively reduce childhood obesity – it cannot be solved by one sector, stakeholder or individual. However, we also need clear leadership and commitment to promoting child health and healthy weight. With a new leader of the Conservative Party soon to be announced, this is a golden opportunity to take bold and urgent action.

The proposed delays to TV, online and price promotions weaken the Government's position on obesity and create a ticking time bomb in relation to child health. Following the launch of the Children's Alliance report into Child Health earlier this year, Baroness Frances D'Souza was quoted as saying:

*"Without effective co-ordinated measures led by the Government, we run the risk that the next generation of UK adults will be the least healthy in living memory."*²

Further delays to the proposed marketing and advertising regulation of unhealthy foods seems amiss considering these concerning projections, and we urge government to reconsider its position.

Yours faithfully,

Professor Matthew Ashton, Lead Director of Public Health, Food Active and Chair of the Association of Directors of Public Health Policy Lead for Healthy Places

Nicola Calder, Food Active Programme Lead, Health Equalities Group

Greg Fell, Vice President, Association of Directors of Public Health

CC: Rt Hon Steve Barclay MP

¹ <https://ijbnpa.biomedcentral.com/articles/10.1186/s12966-022-01331-y>

² <https://childrensalliance.org.uk/wp-content/uploads/2021/12/Physical-Health-of-Children-and-Young-People-Report-Dec2021.pdf>

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