

Date: 5 April, 2024

Dear Ms Haughey,

Restricting promotions of food and drink high in fat, sugar, or salt (HFSS)

The way that certain foods are produced, packaged, and promoted in Scotland currently contributes to significant health inequalities. These are hardest felt in our poorest communities:

- Around two-thirds of all adults in Scotland (67%) are living with overweight (including obesity), with one third (33%) of children being at risk of overweight (including obesity).
- Children living in deprived areas are more likely to be at risk of overweight and twice as likely to be at risk of obesity (13.9%) than those living in the least deprived areas (6.8%).
- Children with higher weight are more likely to continue to have a higher weight into adulthood and develop related NCDs at a younger age.
- The burden of disease in Scotland is forecast to rise by 21% by 2048, partly driven by large rises in cases of cancer, and cardiovascular disease.
- The annual cost of obesity in Scotland in 2022 was estimated to be £5.3billion of which £4.1billion is the value lost to people through reduced quality of life.

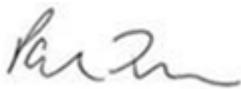
With levels of over-weight and obesity in Scotland at 67% already and childhood obesity increasing we need to take collective action to transform and reform the status quo. Improving the food environment is likely to be the most cost-effective and equitable way of managing the link between Scotland's diet and its health. That is why Public Health Scotland (PHS) and Food Standards Scotland (FSS) strongly support the Scottish Government's [consultation](#) to restrict promotions of food and drink high in fat, sugar or salt. This is an important public health and economic issue which needs a national response.

To highlight the scale of the challenge, PHS and FSS have produced a joint [briefing](#) paper on the impact of the promotion of foods high in fat, sugar or salt in our shops and supermarkets. The paper also makes the case for more ambitious action to curtail the promotion of unhealthy food in Scotland. A copy is attached for information and awareness.

In our view "do nothing" is not an option. Scotland has a golden opportunity to take decisive action that will enable our population to live longer and healthier lives while at the same time reducing longer term pressures on the NHS.

Please feel free to distribute among committee members and any other interested parties. Similarly, let us know if you would like any further information or to discuss this issue in more detail.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Paul Johnston".

Paul Johnston
PHS Chief Executive
phs.chiefexecutive@phs.scot

A handwritten signature in black ink, appearing to read "Geoff Ogle".

Geoff Ogle
FSS, Chief Executive
geoff.ogle@fss.scot



Transforming our food environment: a spotlight on promotions

Public Health Scotland and Food Standards Scotland
briefing paper

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Introduction

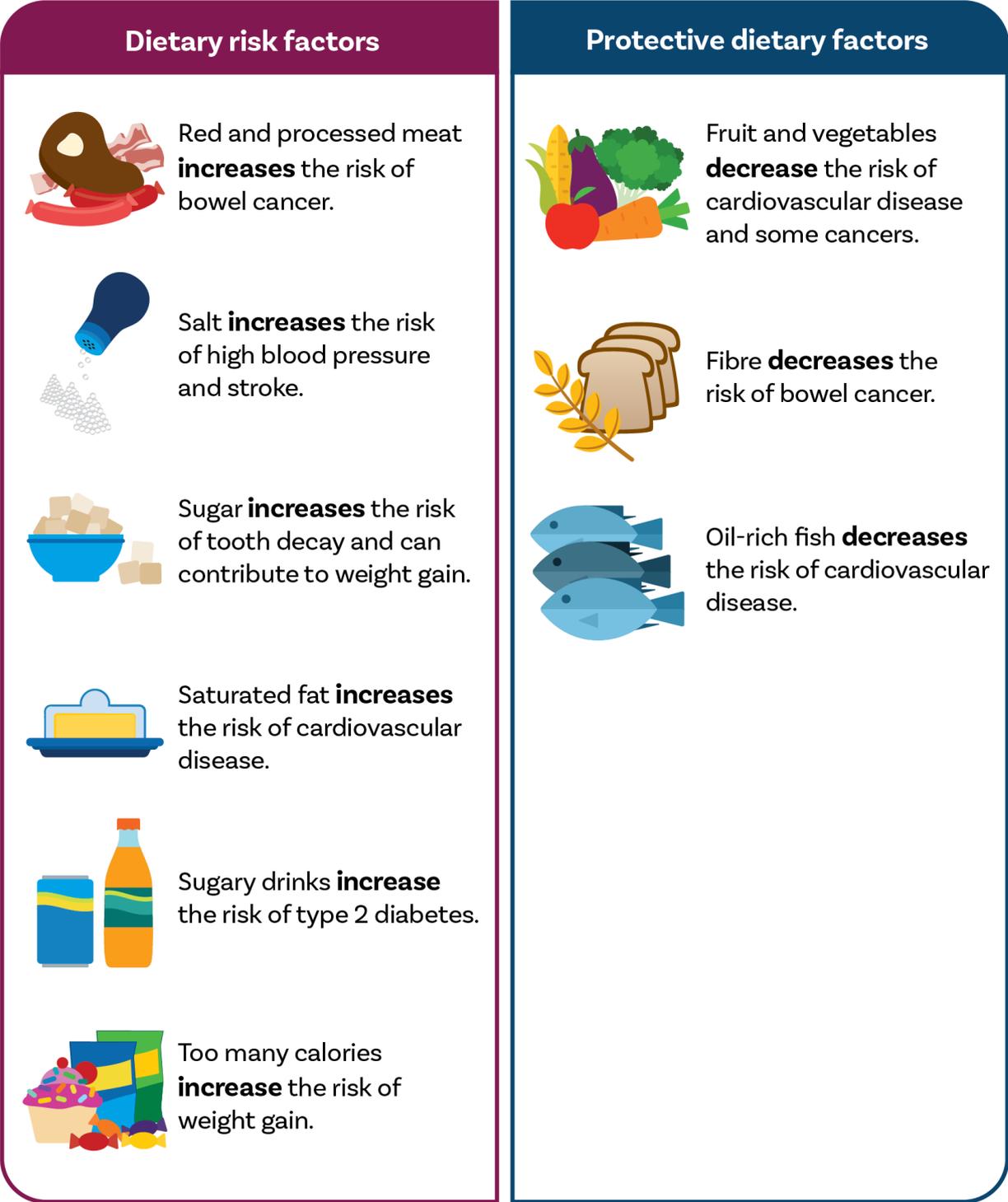
We should all be able to access affordable, healthy food, no matter where we live. To make this vision a reality in Scotland, and to achieve our ambition of becoming a **Good Food Nation**, we must take collective action to transform our food environment. In this briefing paper, we place a spotlight on the promotion of foods high in fat, sugar or salt, describe the impact of promotions on our behaviours and health, and advocate for more ambitious action to curtail the promotion of unhealthy food.*

Our food environment must change to help and support our population's health. It is not reasonable to expect individuals alone to change in order to solve our dietary challenges, nor is it realistic. Evidence from England¹ also suggests that the focus on individual responsibility within diet policy is likely to have contributed to the lack of improvement in levels of healthy weight or related health inequalities over the past 30 years. This aligns with what we see in Scotland, where levels of poor diet and excess weight have remained high.^{2,3}

Policies which work to rebalance the food industry's persistent marketing, promotion and advertising of unhealthy food, which can be damaging to our health, are a necessary step towards transforming our food system⁴ and ensuring that eating well is the easiest thing to do – not the hardest.

* For the purposes of this paper, 'unhealthy food' refers to food and drink products which are high in fat, sugar and/or salt as defined by the **Nutrient Profiling Model**.

Figure 1: Importance of a healthy diet⁵



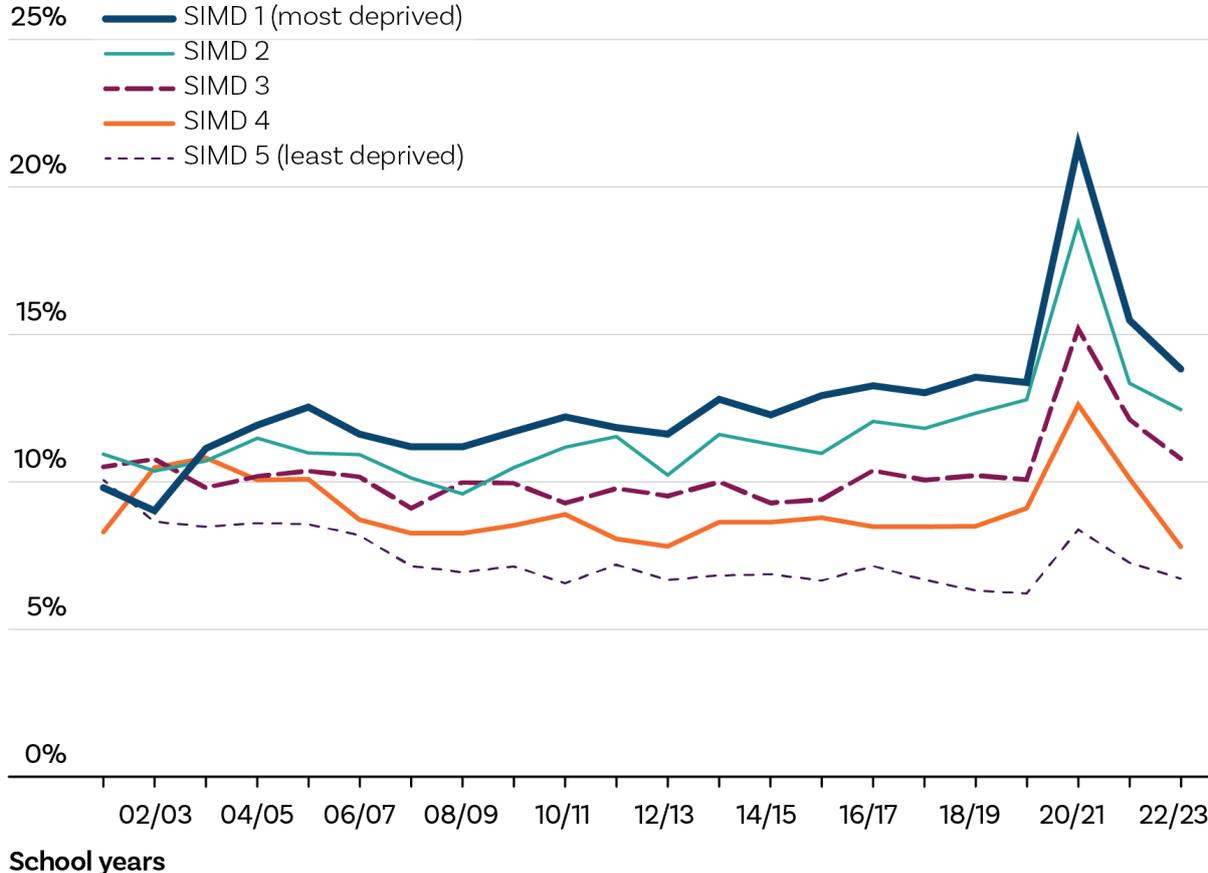
Why we need to act

Improving our population's health by ensuring everyone has access to affordable, healthy food has never been more important. The burden of ill health and mortality associated with a poor diet rests disproportionately on **people living in our most deprived communities**.^{2,3,6}

A healthy diet is essential for supporting healthy growth and development in children. Yet children's chances of accessing healthy food depend strongly on where they grow up.⁷ Children living in less affluent areas are more likely to be exposed to unhealthy food in their high streets,⁸ more likely to have the poorest diets³ and less likely to be a healthy weight.⁹

Childhood obesity rates in Scotland, and the continued widening of inequalities between the most and least affluent groups, reflect our failure to protect and nurture our children and young people.

Figure 2: Percentage of primary 1 children at risk of obesity by deprivation, school years 2001/02 to 2022/23, Scotland⁹



Right now, the places where we live and work do not support us to access healthy food. Supermarket aisles have many discounts and multibuy deals like 2-for-1s on unhealthy options,¹⁰ and advertising in places such as bus stops¹¹ and online also have high levels of promotion of unhealthy foods.¹²

Cost-of-living pressures have put healthier options out of reach for many. Healthier foods are over twice as expensive per calorie compared to unhealthy foods and those living in the most deprived areas would need to spend around half of their disposable

income on food to meet the cost of the **Eatwell Guide**.¹³ People living in the least deprived areas need to spend a lot less.*

As a result of these factors, we are far from meeting our goals for eating healthily,¹⁴ and this has a direct impact on our health and the number of years we are able to live in good health.⁶ There are also impacts on our economic wellbeing; meeting **Scottish Dietary Goals** would therefore also help us to achieve our ambitions to be a thriving and prosperous nation.¹⁵

How promotions of products high in fat, sugar or salt influence our decisions and our shopping baskets

Promotions are designed to make us buy more, and often these are purchases that we would not have made if the promotions were not there in the first place. When it comes to food, we can end up buying 18% more than we had planned.¹⁶

Many promotions also tend to be on more expensive products to begin with.¹⁷ This means that we do not always save money, and there are often cheaper alternatives.

Figure 3: Percentage of retail food and drink calories purchased by price promotion during 2022¹⁸

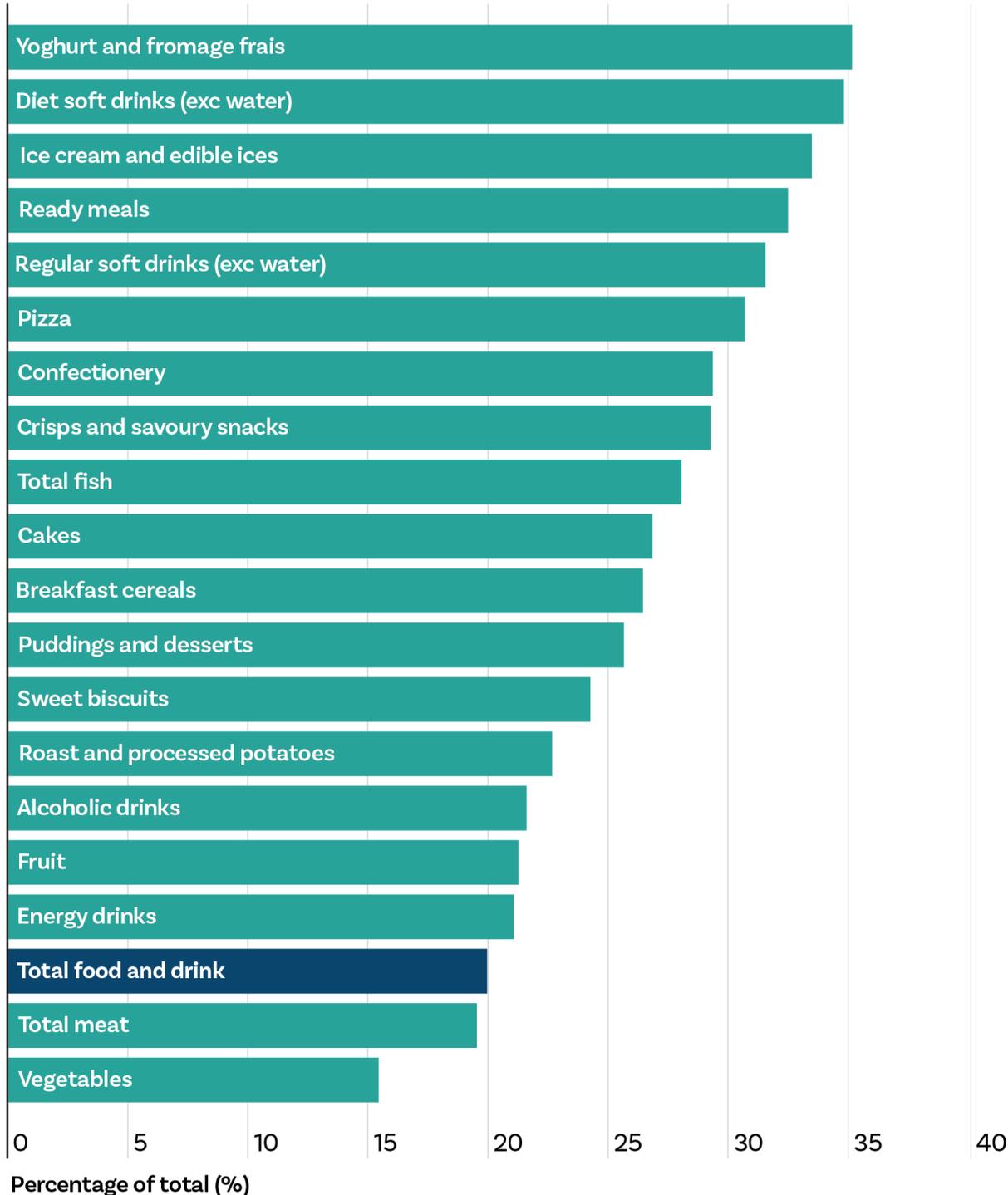


*Temporary price promotion

* People in the least deprived areas would only need to spend 11% of their disposable income to achieve the Eatwell Guide, compared to 50% for people living in the most deprived areas.

It's not just price promotions that influence our decision to buy – where an item is placed within a store, such as the entrance, checkouts and end of aisles, also encourages us to put more in our baskets.¹⁹ These types of promotions are commonly used to promote unhealthy products. Switching to promoting healthier items can help to redress this balance.

Figure 4: Volume of food and drink purchased on a price promotion during 2022, by category¹⁸



How can legislation to restrict promotions of products high in fat, sugar or salt improve our health?

Restricting promotions on unhealthy foods will help to reduce the amount of these products we buy and eat. Evidence shows that removing price promotions on discretionary foods*, such as cakes and biscuits, alone could reduce our calorie intakes by around 600 kcal per person, per week.²⁰

Restricting other types of promotions, such as where a product is displayed, and on other foods high in fat, sugar or salt, such as pizza and ice cream, could reduce our calorie intakes even more.²⁰

Improving our food environment, including reducing unhealthy promotions, will make it easier for people to access healthier options and ultimately improve the health of people in Scotland.^{2,21}

Some progress has been made through voluntary action.²² However, to deliver the scale and pace of change needed and maintain a level competitive playing field, mandatory measures are required²³ with greater use of proportionate and targeted regulation across the whole food environment.

Building on the good progress of the **Healthy Living** and **Reformulation** programmes, businesses must continue to be enabled, encouraged and incentivised to increase the number of healthy foods on promotion. Rebalancing promotions is only one way that we can improve the nation's health, but it is a significant one.

What surrounds us shapes our health. We've seen changes to our environment work for other public health issues. The 2006 smoke-free legislation which banned smoking in enclosed public places led to many positive impacts on health,²⁴ including a reduction in second-hand smoke exposure and hospital admissions for heart attacks and child asthma. Evidence also shows that the world-leading minimum unit pricing for alcohol legislation has had a positive impact on health outcomes,²⁵ including addressing

* Discretionary foods include confectionery, biscuits, crisps and savoury snacks, cakes, pastries, puddings and sugary soft drinks in addition to ice cream and dairy desserts.

alcohol-related health inequalities. We must now also take action to stem the tide of unhealthy food.

People in Scotland want us to put their health first

Public opinion backs action. Many people feel that promotions have encouraged them to buy unhealthy foods on impulse. For multibuys as many as 57% of people felt this way, with 43% saying price discounts caused them to buy more.²⁶

The majority (81%) of households in the UK also say they would prefer promotions to be on healthier staples such as fruits and vegetables, starchy carbohydrates and meat and dairy rather than unhealthy options like sweets and chocolate.²⁷

Action the Scottish Government has proposed

As a devolved nation, Scotland has the power to improve our health and take action to restrict promotions of products high in fat, sugar or salt.

The Scottish Government has **recently committed to consult** on the detail of proposed regulations for promotional restrictions. This consultation will include proposals to restrict the promotion of unhealthy food and drinks in prominent in-store locations, such as at the end of aisles or beside checkouts, and target certain price promotions, such as multibuys and unlimited refills, that encourage people to buy more than they actually need.

The changes we need to see to improve Scotland's health

The food industry, policymakers and investors all have a major role to play in improving our diet and reducing diet-related inequalities, and the scale and urgency of the changes needed will require collaboration across all parties.

For this legislation to be truly effective and beneficial to our health, the restrictions need to be far reaching.

Figure 5: Key asks of the regulations

Key asks of the regulations

	A wide range of promotions should be captured, including temporary price reductions, meal deals, multibuy offers, loyalty pricing and location-based promotions such as end of aisles and checkouts.
	Restrictions must apply both online and in-store.
	At a minimum, restrictions should be applied to discretionary foods which typically make up around 15% of all the energy we eat. ²⁸
	Restrictions should also include the 'additional categories' of most concern to child health outlined in the previous consultation, which will further strengthen the impact of proposals. ²⁸
	Robust monitoring and evaluation are essential to understanding the full impact of the policy.

We cannot lose sight of inequalities. Actions which create a healthier food environment by making sure healthy, affordable options are always available where we live, work and learn have the best chance of reducing inequalities, helping everyone to live longer, healthier lives, and protecting the health of future generations.²⁸

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