RESTRICTING PRICE AND LOCATION-BASED FOOD PROMOTIONS:

implementation challenges could limit policy success

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Summary

New plans to restrict in-store promotions of unhealthy foods and drinks aim to encourage healthier choices. With responsibility for implementation likely falling to food retailers, it is important to understand the feasibility of implementation, to ensure policy success.

Retailers require automated methods to apply the legislation across their whole product portfolio. A research case study found the **data available to retailers to be insufficient** to accurately apply the rules-based approach set out by the policy proposal. Misclassification would result in some unhealthy products being incorrectly promoted, and vice versa.

Appropriate actions include a **review of the legislative basis** to align public health benefit with data feasibility, or **shared responsibility between retailers and manufacturers**.

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What is the problem?

Childhood obesity rates are increasing in the UK (NHS Digital., 2018). Children are particularly vulnerable to food marketing which promotes the over-consumption of high-calorie foods and drinks, contributing to obesity. Chapter 2 of the UK's Childhood Obesity plan (HM Government., 2018) outlines new legislation; to **restrict price and location-based promotions of products high in saturated fat, salt and free sugars** (DHSC., 2019), in a bid to reduce obesity and improve public health.

What does the proposed legislation look like?

The plans promote healthier dietary choices by removing unhealthy products from prime locations, such as the end of aisles and store checkouts and banning volume-based price promotions like 'buy one get one free' deals. Societal cost savings are projected in the region of £4.2 billion over 25 years; including costs to the NHS, social care and from premature mortality (DHSC., 2018b, DHSC., 2018a).

Although the plans are still under consultation, the favoured approach is to apply restrictions to products defined as 'in scope' for the Soft Drinks Industry Levy and Public Health England's sugar and calorie reduction programmes, which additionally fail the UK's Nutrient Profiling Model.

The 2004/5 UK Nutrient Profiling Model is currently applied by Ofcom on a case-by case basis to determine whether products may be advertised to children across different media platforms. But new legislation would require automated application to assess whole retailer product portfolios (tens of thousands of products). Additionally, a new draft 2018 Nutrient Profiling Model is under consideration to supersede the current model (PHE, 2018). The new model is to be even stricter, accounting for changes to national dietary recommendations; reduced reference intake for sugar, a switch in focus from total to 'free' or added sugars and an increase in the reference intake for fibre.

The food industry warns of negative impacts for food affordability and substantial cost burden for retailers and manufacturers (FDF, 2019), but their role in implementation is key to policy success.

Research from the University of Leeds highlights implementation challenges for in-store marketing restrictions, under the two potential Nutrient Profiling Models.

What did the researchers do?

A case study was carried out to assess the feasibility of implementing the new legislation, using a large database of around 45,000 products, representing a retailer product portfolio. Full paper forthcoming (Jenneson et al, unpublished).

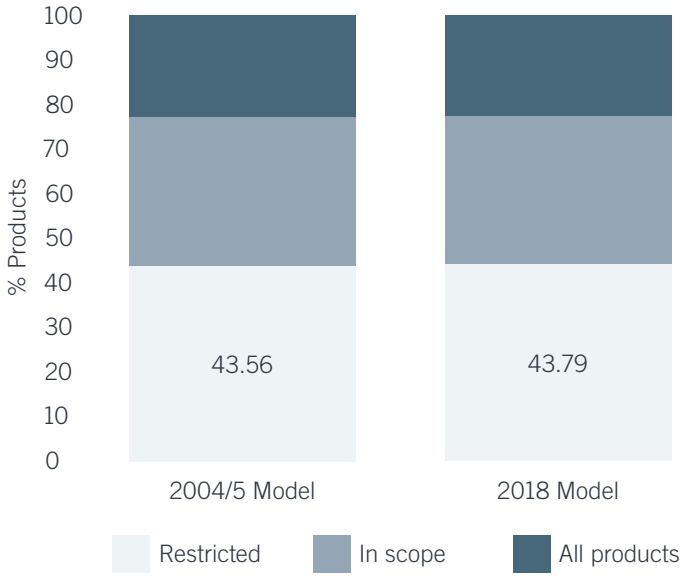
Aims:

1. Identify high saturated fat, salt and free sugar products in scope for promotional restrictions
2. Apply the current and proposed Nutrient Profiling Models
3. Assess the outcomes of each model
4. Summarise implementation challenges

Key findings:

- Automation of rules is needed to assess compliance at scale
- 75% of products were 'in scope' according to their categories
- Restrictions could apply to more than 40% of products; impacting store layouts, supplier contracts and revenues
- Retail data availability hinders implementation
- The draft 2018 Nutrient Profiling Model was more restrictive than the current model for soft drinks and frozen foods, but was no different for other product categories

Nutrient Profiling Model



Implementation challenges:

- **Mis-matched product categories** hinder identification of products in scope; (nutritionally-led legislative categories vs storage/location-led retail categories).
- **Incomplete ingredient** information hinders application of Nutrient Profiling Models.
- **Proportion of fruit, vegetable and nuts** in composite products cannot be accurately quantified to apply the positive element of the Nutrient Profiling Models.
- **Free sugars quantity is unavailable**; the draft 2018 Nutrient Profiling Model is more difficult to implement, introducing errors.

Recommendations

1. **Guidance to align categories** should be provided alongside the policy.
2. **Responsibility** for implementing legislation **shared by manufacturers and retailers**. Manufacturers may use product specifications to more accurately apply Nutrient Profiling Models and flag if products pass/fail for retailers to adhere to.
3. **Review the basis for promotional restrictions**, balancing feasibility and public health benefit.

Sources

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