

Healthier Advertising Policy (food and non-alcoholic drink)

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1. Background

- 1.1. Evidence shows that advertisements for unhealthy food and drink products directly and indirectly impact what we eat.¹ Young people who recall seeing junk food adverts every day are more likely to be obese.² Halton Council has high rates of child and adult excess weight and widening health inequalities. In 2021, 78% of adults in Halton were overweight or obese.
- 1.2. There are significant inequalities in child excess weight levels with higher rates reported for children living in disadvantaged households, children with disabilities and children from specific ethnic backgrounds. Both children and adults from lower socio-economic groups are 50% more likely to be exposed to such advertisements for high fat, salt, or sugar (HFSS) foods.³
- 1.3 Transport for London (TfL) and twenty other Local Authorities have introduced an advertising restriction on all food and non-alcoholic drink products that are high in fat, salt and/or sugar (HFSS). This restriction is across all advertising opportunities on the TfL estate and Local Authority owned sites (including bus stops, taxi wraps and stations).

2. General Principles

- 2.1. Consistent with similar advertising policies implemented by Bristol City Council, Barnsley Council, the London Boroughs of Haringey, Southwark, Merton, Greenwich, Tower Hamlets and within the region Knowsley, Liverpool, Sefton, Cheshire East and Cheshire West and Chester, the UK Nutrient Profiling Model (NPM) has been adopted by Halton Council to identify HFSS products.
- 2.2. The UK Nutrient Profiling Model (NPM) is widely used and has been subject to rigorous scientific scrutiny, extensive stakeholder consultation, and review. Furthermore, the scoring system it uses balances the contribution made by beneficial nutrients that are particularly important in children's⁴ diets with components in the food that children should eat less of. It has therefore been concluded that the NPM model is the best way of identifying food that contributes to child obesity. Such food and drink is not only purchased directly by children but is bought for them by others.
- 2.3. Guidance on how to identify whether a product is considered HFSS under the NPM is available [here](#). All potential advertisers should familiarise themselves with the NPM's technical guidance on how to identify whether a product is considered HFSS under

¹ Critchlow, N. et al. (2020) 'Awareness of marketing for high fat, salt or sugar foods, and the association with higher weekly consumption among adolescents: a rejoinder to the UK government's consultations on marketing regulation'. Accessed via: <https://pubmed.ncbi.nlm.nih.gov/32434618/>

² <https://www.cancerresearchuk.org/about-us/cancer-news/press-release/2018-03-15-obesity-risk-doubles-for-teens-bombarded-with-junk-food-adverts>

³ Yau, A. et al. (2021) 'Sociodemographic differences in self-reported exposure to high fat, salt and sugar food and drink advertising: A cross-sectional analysis of 2019 UK panel data', Accessed via: <https://bmjopen.bmj.com/content/11/4/e048139>

⁴ Child/Children means a person/s below the age of 18. This is in line with the Convention on the Rights of the Child's definition: www.unicef.org/child-rights-convention/convention-text

the NPM. In any case of doubt, it is for the advertiser to show that the featured product is not HFSS.

2.4. Any revisions to the NPM will be reflected in the advertisement decisions made by the council.

2.5. It is the responsibility of advertisers and their agents to verify the status of the products featured using the NPM.

2.6. Halton Council or its representatives may request evidence of nutrition information of food and drink products advertised, and in line with the Food Standards Agency recommendations, Halton Council expects any laboratory used for nutrition analysis to have ISO 17025 accreditation and this should be by the United Kingdom Accreditation Service (UKAS).

3. Content featuring only non-HFSS products

3.1. These would normally be approved but would still need to comply with existing principles and procedures relating to any advertising carried by Halton Borough Council.

4. Content featuring only HFSS products

4.1. Where proposed content features only food and/or drink which is rated HFSS, such copy would be rejected.

4.2. It is therefore recommended that, before committing to advertising production agreements, advertisers should discuss their eligibility with the council or its agents.

5. Content where there is a range of food/drink featured, some of which is HFSS

5.1. The advertising or promotion of HFSS products is unacceptable under the policy, so a range or meal could not feature them (e.g. fish, chips and peas could only be advertised if all products were non-HFSS). This would also apply to any meal settings being shown, including those for restaurants, aggregator platforms and delivery services.

5.2. It is the responsibility of advertisers and their agents to verify the status of the products featured using the NPM.

6. Content where no food or drink is featured directly but the advertisement is from or features a food and/or non-alcoholic drink brand

6.1. This may include:

- advertisements where the brand's logo is included but no products, such as a brand values campaign,
- directional signage to a store, app or website,

- promotional advertising which is price-led but features no products such as ‘50% off everything’ or similar,
- advertising about a business or its performance

6.2. Food and drink brands (including food and drink service companies or ordering services) will only be able to place such advertisements if the advertisement promotes healthier options (i.e. non-HFSS products) as the basis of the copy.

6.3. Where advertisers are uncertain about the classification of proposed copy under these guidelines, they should discuss this with the council or its agents.

7. Advertisements where food and drink is shown ‘incidentally’ i.e. it is not the subject of the advertisement but is included (or implied) by visual or copy

7.1. HFSS products should not be promoted by being featured in advertisements for other products. It is the responsibility of advertisers and their agents to verify the HFSS status of the products featured using the NPM.

7.2. Where a food or drink item is featured incidentally and does not relate to a specific identifiable product which can be assessed for its HFSS status, advertising copy may be rejected by the council or its agents on the basis that the advertisement promotes the consumption of HFSS products.

8. Advertisements where food and drink is referenced in text, through graphical representations or other visual representation

8.1. HFSS products should not be promoted through references in text, graphical images or other visual representations of food and drink. Where a food or drink item is featured in this way and does not relate to a specific identifiable product which can be assessed for its HFSS status, copy may be rejected by the council or its agents on the basis that it promotes the consumption of HFSS products.

9. Indirect promotion of HFSS food and/or drink

9.1. Where a product is non-HFSS but falls within a category covered by the Office for Health Improvement and Disparities recommendations for sugar or calorie reduction, the product should always carry a prominent product descriptor to help differentiate it from noncompliant products (e.g. where an advertisement features a non-HFSS pizza or burger, the image should be accompanied by prominent text that names the specific product and retailer).

9.2. Children should not usually be shown in advertisements for products which are compliant in a category which is covered by the Office for Health Improvement and Disparities recommendations for sugar or calorie reduction.

10. Portion sizes

10.1 The NPM model is based on nutrients per 100g of a product, rather than recommended portion size. Advertisers should always ensure that they promote products in portion sizes which encourage healthy eating. For products that are non-HFSS but fall within

a category covered by PHE's recommendations for sugar or calorie reduction, the product should be displayed as a single portion.

10.2If advertisers and/or agencies are unsure about how to interpret this, or any other aspect of these guidelines, they are encouraged to get in touch with the council or its agents and work together on a solution to avoid submitted copy requiring changes or being rejected.

11. Exceptions

There are no standard exceptions to the policy offered on council-owned advertising sites.

12. Alignment Council-wide

Halton Council will consider the potential impact of HFSS advertising when looking at planning applications which include advertising sites. Unhealthy food and drink marketing is an important consideration upon healthy town centres and is therefore considered in planning applications.

Appendix: Guidance for decisions regarding advertising including high fat, salt, or sugar food and non-alcoholic drinks

1. Example Decision Table

The table below, adapted from Barnsley Council's Advertising policy, outlines examples of a range of advertisements and what the policy outcome would likely be.

Advertisement Content	Outcome	Example(s)	Notes
Only non-HFSS products featured	Approved	An advertisement for fresh fruit and vegetables	Subject to compliance with our overall Advertising Policy.
Only HFSS products featured	Rejected	An advertisement for sweet pastries	
A range of products, some of which are HFSS and some of which are non-HFSS	Rejected	An advertisement for a meal deal that includes a chocolate bar (HFSS) as well as fruit (non-HFSS)	All food/drink items being advertised must be non-HFSS.
No food or drink directly displayed but the advertisement is	Possibly approved – only if healthier options (non-HFSS) are being promoted	A fast-food business advertising only non-HFSS products (approved)	Many brands and their logos have strong HFSS product

from (or features) a food/drink brand		A fast-food business advertising a competition or an affiliation to an event (rejected).	association. Some HFSS products also share the same name as the actual brand name, making it difficult to separate the brand name from the associated product.
Food and drink is shown 'incidentally' i.e., it is not the subject of the advertisement but is included (or implied) by visual or copy	Possibly approved – only if healthy products (non-HFSS) are being displayed	A travel firm advertising holiday offers which happens to contain images of oranges (approved)	If the advertisement can be reasonably considered to promote HFSS products it will be rejected regardless of whether the food is intended focus of the advertisement.
Food and drink is referenced in the text, through graphical representations or other visual representation (not a real product being advertised)	Possibly approved – only if healthy products (non-HFSS) are being promoted	A travel firm advertising holiday offers which happens to contain images of ice creams (rejected)	
Indirect promotion of HFSS food and/or drink	Possibly approved – only if prominent text accompanies the image naming the product and retailer	An advertisement that contains a cartoon image of carrots (accepted)	If the advertisement can be reasonably considered to promote HFSS products it will be rejected regardless of whether the food is an actual product.
		An advertisement that contains a cartoon image of chocolate (rejected)	
		An advertisement featuring a non-HFSS ice cream that includes prominent text that accompanies the image naming the specific product and retailer (accepted)	A prominent product descriptor helps to differentiate it from non-compliant products. This is necessary where the product falls into a category typically associated with HFSS products (such as ice cream).
		An advertisement featuring a non-HFSS ice cream but with no accompanying explanatory text (rejected)	

Portion sizes	Possibly approved – see Notes column	An advertisement for a non-HFSS 16-inch pizza that displays a portion (e.g., 3 slices) and that also displays clear text naming the product and retailer as per the row above (accepted)	Advertisers should always ensure that they promote products in portion sizes which encourage healthy eating. For products that are non-HFSS but fall within a category covered by OHID's recommendations for sugar or calorie reduction, the product should be displayed as a single portion.
		An advertisement for a non-HFSS 16-inch pizza that displays an image of the full pizza (rejected)	