

## PETERBOROUGH CITY COUNCIL HEALTHIER FOOD AND DRINK ADVERTISING POLICY

### 1. Purpose of policy

1.1. This policy has been developed to contribute to the reduction of childhood and adult obesity in Peterborough by restricting the advertising of food and drink high in fat, salt and/or sugar (HFSS).

1.2. There is significant evidence that restrictions on advertising of HFSS food may influence behaviour in respect of the consumption of unhealthy food and drinks. Peterborough City Council (The council) aims to improve the population's health by the restrictions set out in this policy, which are considered proportionate to the legitimate aims of this policy.

### 2. Background

2.1. Evidence shows that advertisements for unhealthy food and drink products directly and indirectly impact what we eat<sup>1</sup>. Both children and adults from lower socio-economic groups are 50% more likely to be exposed to such advertisements for high fat, salt, and/or sugar (HFSS) foods<sup>2</sup>.

2.2. This is concerning for Peterborough as it is in the most deprived 20% (quintile) of local authorities in England, and the percentage of year 6 pupils classed as overweight or obese in 2022/23 was 38.5%, which is significantly higher than the England average of 35.2%.

2.3. Implementation of a healthier food advertising policy aims to protect residents from exposure to HFSS products. It supports the priorities of both the council to *'Create healthy and safe environments where people want to live, invest, work visit and play'* and the Joint Health and Wellbeing Integrated Care Strategy to *'Create an environment for people to be as healthy as can be'*.

### 3. Definitions

3.1. Advertising is defined within this policy as a display of informative and/or persuasive content about an organisation or individual's products, services, causes or ideas in/on council assets.

### 4. Application

4.1. This policy applies to:

- a) All council owned land
- b) All council owned advertising sites
- c) Advertisement at council premises open to the public (e.g. libraries, leisure centres, schools)
- d) Advertisements in premises the council leases from 3<sup>rd</sup> parties. (subject to existing lease issues)

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4.2. Any historical advertising or contractual arrangement affected by this policy should be reviewed at the next contractually available juncture.

4.3 This policy applies to Peterborough City Council, including when working in formal partnership or collaboration with another body.

### 5. General Principles

5.1. Consistent with similar advertising policies implemented by 14 local authorities including Bristol City Council, Barnsley Council, as well as the London Boroughs of Haringey, Southwark, Merton Greenwich and Tower Hamlets, the UK Nutrient Profiling Model (NPM) has been adopted by the council to identify HFSS products.

5.2. The NPM has been identified as the most proficient way of identifying food and drink that is HFSS. It has been subject to rigorous scientific scrutiny, extensive consultation, and review.

5.3 The scoring system balances the contribution made by beneficial nutrients that are particularly important in children's 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.

5.4 Guidance on how to identify whether a product is considered HFSS under the NPM is available [here](#).

5.5 The outcome of any reviews or revisions of the NPM will be considered in tandem with the review of this policy.

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

5.7. The 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, the council expects any laboratory used for nutrition analysis to have ISO 17025 accreditation and this should be by the United Kingdom Accreditation Service (UKAS).

### 6. Exceptions

6.1 There are no standard exceptions to the policy offered on council-owned land, advertising sites and premises.

6.2 The only circumstances in which an exception will be considered are:

6.3 In the event of a dispute on any application for an event, a final and binding decision will be made by the Head of Communications and Director of Public Health.

### 7. Advertisements featuring only non-HFSS products

7.1 Advertisements featuring food and drink deemed non-HFSS only, would be approved.

### 8. Advertisements featuring only HFSS products

8.1 Where a proposed advertisement features only food and/or drink which is rated HFSS, the advertisement would be rejected.

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

## 9. Advertisements where there is a range of food/drink featured, some of which is HFSS

9.1 Where a proposed advertisement features a range of food and/or drink, some of which is rated HFSS, the advertisement would be rejected.

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

## 10. Advertisements where no food or drink is featured directly but the advertisement is from or features a food and/or drink brand:

10.1. This may include:

- Advertisements where the brand's logo is included but no products, e.g. a brand values campaign
- Directional signage to a store, app or website.
- Promotional advertising, which is price led but features no products, e.g. "50% off everything" or similar

10.2. This does not apply within the boundary of an event happening on council-owned land, where the application of the policy would make the event unviable or logistically unfeasible to run (For example, directional signage to stalls at a food and drink festival or a Christmas market).

10.3. 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.

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

## 11. 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:

11.1. HFSS products should not be promoted by being featured in advertisement for other products, as the advertisement would be rejected.

11.2 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.

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

12.1. 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.

### 13. Indirect promotion of HFSS food and/or drink

13.1. Where a product is non-HFSS but falls within a category covered by PHE's 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).

13.2. Children should not usually be shown in advertisements for products which are compliant in a category which is covered by PHE's recommendations for sugar or calorie reduction.

### 13. Portion sizes

13.1. The NPM 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.

13.2. If 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.

## 14. Decision table

Content	Outcome	Example(s)	Notes
Only non-HFSS products featured	Approved	An advertisement for fresh fruit and vegetables	
Only HFSS products features	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 from (or features) a food/drink brand	Possibly approved – only if healthier options (non-HFSS) are being promoted	A food business advertising only non-HFSS products (approved)	Many brands and their logos have strong HFSS product 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.
		A fast-food business advertising a competition or an affiliation to an event (rejected).	
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.
		A travel firm advertising holiday offers which happens to contain images of ice creams (rejected)	
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	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)	
Indirect promotion of HFSS food and/or drink	Possibly approved – only if prominent text accompanies the image naming the product and retailer	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
		An advertisement featuring a non-HFSS	

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		ice cream but with no accompanying explanatory text (rejected)	products (such as ice cream).
Portion sizes	Possibly approved – see Notes column	<p>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)</p> <p>An advertisement for a non-HFSS 16-inch pizza that displays an image of the full pizza (rejected)</p>	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.

### 15. Acknowledgement

This policy was developed using advertising policies implemented by other authorities including TfL, Barnsley, Bristol and Merton, for reference.

### 16. References

<sup>1</sup> Critchlow N, Bauld L, Thomas C, Hooper L, Vohra J. 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. *Public Health Nutr.* 2020 Oct;23(14):2637-2646. doi: 10.1017/S1368980020000075. Epub 2020 May 21. Erratum in: *Public Health Nutr.* 2021 Sep;24(13):4371-4375. PMID: 32434618; PMCID: PMC7116036.

<sup>2</sup> Yau A, Adams J, Boyland EJ, Burgoine T, Cornelsen L, de Vocht F, Egan M, Er V, Lake AA, Lock K, Mytton O, Petticrew M, Thompson C, White M, Cummins S. 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. *BMJ Open.* 2021 Apr 7;11(4):e048139. doi: 10.1136/bmjopen-2020-048139. PMID: 33827849; PMCID: PMC8031692.