

2021 Health & Care Bill: Obesity Health Alliance Briefing

Context

The 2021 Health and Care Bill contains provisions to limit unhealthy food and drink adverts on TV and online to protect children's health. These provisions are found under Schedule 16 of Part 5 of the Bill, and will apply across the UK. **The Obesity Health Alliance strongly supports these provisions to ensure children see only adverts for healthier foods and drinks.**

Proposals Summary

- A 9pm watershed on adverts for food and drinks high in fat, sugar and salt (HFSS) on TV, as well as a ban on paid-for advertising online, will be introduced by the end of 2022.
- The new rules will only apply to sugary and high-calorie foods that contribute the most to children's sugar and excess calorie intakes – e.g. biscuits, crisps, chocolate and pizza.
- Small and medium businesses will be exempt from the rules, as will companies' 'own' media channels (e.g. their websites and social media pages).
- This policy is a part of a package of measures announced in the 2020 'Tackling Obesity' strategy which outlined bold action to address the multiple drivers of obesity.

Why is this policy needed?

- Children's health is being affected by high levels of obesity. One in three children in England are above a healthy weight when they leave primary school.¹ Children with obesity are five times more likely to become adults with obesity,² increasing their risk of developing a range of conditions including type 2 diabetes, cancer, heart and liver disease.
- Children from deprived areas are more than twice as likely to have obesity than their more affluent counterparts. These inequalities are growing, as childhood obesity rates are increasing significantly faster in deprived communities compared to the least deprived³.
- The UK Government has pledged to halve the country's childhood obesity rates by 2030. 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.
 - However, analysis from the OHA and researchers at University College London has found that for the latest years where full data was available, childhood obesity prevalence has increased by approximately 1% year-on-year in England⁴.
 - To reach the 2030 target, it is crucial that the Government fully implements these landmark plans contained in the Health & Care Bill and builds on them with further evidence-based policies to make it easier for everyone to live healthier lives.
- An economic analysis by McKinsey has estimated that overweight and obesity costs the UK 3% GDP annually.⁵ Public Health England estimated that the NHS spent £6.1 billion on overweight and obesity-related ill-health in 2014 to 2015, and estimates the wider costs of obesity to UK society to be £27 billion.⁷

What is the evidence for this policy?

- Food companies spend millions every year on a range of different marketing techniques to help keep junk food in the spotlight - they would not do this if advertising does not work.
- A wealth of evidence shows there is a clear link between food advertising and the food children prefer⁸. Advertising influences what food children eat⁹ and how much they eat, leading them to 'pester' parents to buy unhealthy products¹⁰.
- Almost half (47.6%) of all food adverts shown on commercial TV channels in September 2019 were for HFSS products¹¹. This rose to almost 60% during the 6pm to 9pm slot – the time

slot where children's viewing peaks. Children's viewing habits have changed in recent years, but 96% still watch TV on Video-on-Demand services and 56% continue to watch live TV¹².

Incentives for the Food Industry

- Healthier food can still be advertised. Cancer Research UK analysed HFSS food adverts shown on commercial channels and found nearly 80% of the adverts were from companies who had an alternative healthier product in their portfolio or from retailers who could easily switch to including non-HFSS products in their advertising.¹³
- The new rules will give food companies an increased incentive to reformulate their existing products or invest in healthier new product development.
- After bringing in junk food advertising restrictions across the Transport for London network revenue increased by £2.3million¹⁴.

Public Support

- 74% of the public support restricting adverts for junk food before 9pm on TV and online¹⁵.

About the OHA

The Obesity Health Alliance is a coalition of over 45 health organisations including the British Heart Foundation, Cancer Research UK, Diabetes UK, the British Medical Association and medical royal colleges.

The goal of the Obesity Health Alliance is to prevent obesity-related ill-health by supporting evidence-based population level policies to help address the wider environmental factors that lead to excess bodyweight.

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¹NHS Digital (2019). Health Survey for England. <http://healthsurvey.hscic.gov.uk/data-visualisation/data-visualisation/explore-the-trends/weight.aspx?type=child>

²Simmonds M, Llewellyn A, Owen CG, Woolacott N. Predicting adult obesity from childhood obesity: a systematic review and meta-analysis. *Obes Rev.* 2016 Feb;17(2):95-107.

³Public Health England 2020 'National child measurement programme (NCMP): trends in child BMI between 2006 to 2007 and 2018 to 2019' <https://www.gov.uk/government/statistics/national-child-measurement-programme-ncmp-trends-in-child-bmi-between-2006-to-2007-and-2018-to-2019>

⁴Please see appendix document 'OHA Briefing Paper - 2030 Child Obesity Target'

⁵McKinsey Global Institute. 2014. Overcoming Obesity: an initial economic analysis

⁶The Chief Medical Officer for England. 2019. Time to Solve Childhood Obesity: An Independent Report by the Chief Medical Officer, 2019 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/837907/cmo-special-report-childhood-obesity-october-2019.pdf

⁷PHE. 2017. Health matters: obesity and the food environment. <https://publichealthmatters.blog.gov.uk/2017/03/31/health-matters-obesity-and-the-food-environment/>

⁸Public Health England (2015). Sugar Reduction: the evidence for action. <https://www.gov.uk/government/publications/sugar-reduction-from-evidence-into-action>

⁹Boyland E, Nolan S, Kelly B (2016). Advertising as a cue to consume: a systematic review and meta-analysis of the effects of acute exposure to unhealthy food and non-alcoholic beverage advertising on intake in children and adults. *Am J Clin Nutr.* 103(2):519-33.

¹⁰Hastings, G. (2006). The extent, nature and effects of food promotion to children: a review of the evidence. WHO 16.

¹¹Cancer Research UK (2021) Analysis of revenue for ITV1, Channel 4, Channel 5 and Sky One derived from HFSS TV advertising spots in September 2019. https://www.cancerresearchuk.org/sites/default/files/cruk_uk_leading_brand_product_analysis.pdf

¹²OFCOM (2021) Children and parents: media use and attitudes report 2020/2021

https://www.ofcom.org.uk/data/assets/pdf_file/0025/217825/children-and-parents-media-use-and-attitudes-report-2020-21.pdf

¹³Cancer Research UK (2020) Analysis of revenue for ITV1, Channel 4, Channel 5 and Sky One derived from HFSS TV advertising spots in September 2019. https://www.cancerresearchuk.org/sites/default/files/cruk_report_on_sept19_nielsen_tv_ad_analysis_-_final22july20.pdf

¹⁴Transport for London (2020) Transport for London Advertising Report <http://content.tfl.gov.uk/advertising-report-2018-20-acc.pdf>

¹⁵Obesity Health Alliance (2020). 74% of the Public Support Government Action on Obesity in the Wake of Emerging Links with COVID-19.