



**The Health and
Social Care
Alliance
Scotland
(the ALLIANCE)**



Restricting promotions of food and drink high in fat, sugar or salt regulations consultation – ALLIANCE Response

21 May 2024

Introduction

The Health and Social Care Alliance Scotland (the ALLIANCE) welcomes the opportunity to respond to the Scottish Government's consultation on restricting promotions of food and drinks high in fat, sugar, or salt (HFSS) regulations.

We broadly support the Scottish Government's proposed regulations. We expect that the regulations will positively affect the whole population, especially the health inequalities of people living in socioeconomically deprived areas.

We have previously responded to Scottish Government consultations on the Good Food Nation Bill and, more recently, the Good Food Nation Plan¹. We know that food is more than a nutritional need and is inherently important to realising other human rights such as the right to health, the right to an adequate standard of living and the right to social and medical assistance².

Contrary to popular belief, food and drink promotions do not save people money³. They influence the options available and encourage people to spend more and consume products known to contribute to poor diets, obesity, and diet-related health inequalities⁴. This negatively impacts people hardest hit by the cost of living crisis.

There is wide-ranging evidence on the benefits of restricting price promotions on unhealthy food and drink⁵. Such regulations would contribute to the Scottish Government's commitments contained within the Diet and Healthy Weight Plan and work towards eradicating food and child poverty⁶. Without the implementation of regulation on HFSS promotions, the Scottish Government will miss its target of reducing childhood obesity by at least 50% by 2030⁷.

To ensure that the regulations have their full and desired effect on improving population health, they must be implemented in full, funded and



resourced sufficiently, enforced across locations, and loopholes for businesses should be filled.

Section 1: Foods subject to restriction

1. Do you agree with the proposal to be consistent with the category descriptors set out in Schedule 1 of the UK Government regulations for England?

No.

Please explain your answer.

We agree that the regulations should be based on Schedule 1 of the UK Government regulations for consistency, however, we also recommend that pre-packaged food is included in their scope.

There is wide-ranging evidence on the benefits of restricting price promotions on unhealthy food and drink. Such regulations would contribute to the Scottish Government's commitments contained within the Diet and Healthy Weight Plan and work towards eradicating food and child poverty⁸. Without the implementation of regulation on HFSS promotions, the Scottish Government will miss its target of reducing childhood obesity by at least 50% by 2030⁹.

However, we feel that Scotland can go further and suggest that if the Nutrient Profiling Model (NPM) is applied then the most up-to-date version must be used within the regulations when possible. The current UK NPM was introduced in 2004-2005¹⁰. As it is ten years out of date, it no longer reflects UK dietary recommendations especially those for free sugars and fibres.

Public Health England's review of the NPM 2004-2005 concluded that an updated NPM was necessary and should be implemented. However, this is yet to happen.



Our partner, Obesity Action Scotland, supports a simple whole-category approach for identifying HFSS products in the scope of restrictions using the World Health Organisation (WHO) Regional European Office Nutrient Profile Model¹¹. We suggest that this model is given active consideration for inclusion within the scope of the regulations if an updated UK NPM is not likely to be available in the near future.

The ALLIANCE does not agree that non-pre-packaged food should be excluded from the scope of the regulations. Businesses can determine whether the products should not be promoted as nutritional information has to be available. This applies to the provision of food allergens, calorie and reference intake values, information and labelling¹². If businesses have to refer to the wholesaler or manufacturer, to calculate the calorific content and have knowledge of ingredients within a product to provide allergen-related information, then they are informed of the nutrients contained within said product.

For example, in a consultation recently held by the Scottish Government on the introduction of mandatory calorie labelling in the Out of Home (OOH) sector, it was proposed that businesses would be required to calculate the number of calories in the products/items they sell, using the ingredients and nutritional composition of the product(s) to calculate calorie content¹³.

By not including non-pre-packaged food within the regulations, a significant loophole is created allowing for knowingly unhealthy products high in fat, sugar, salt and calories including processed meats, cheese, sweet spreads, sauces, bread and pastries, to be sold for the benefit of a powerful industry rather than public health.

2. Do the food category descriptors set out in Schedule 1 (and included in Annex D of the consultation paper) sufficiently describe the food categories within scope of regulations?

Yes.



Please explain your answer.

The descriptors accurately and sufficiently reflect and describe the food categories within the scope of the regulations written in The Food (Promotion and Placement) (England) Regulations 2021 and the Scottish Government's consultation document.

The ALLIANCE recommends that accompanying regulation guidance should be published following the Six Principles of Inclusive Communication, and should be publicly available in multiple inclusive formats, including Community Languages, British Sign Language (BSL), Braille, Moon, Easy Read, clear and large print, and paper formats¹⁴. We also recommend involving relevant experts – including Easy Read translators, BSL and language interpreters – at the earliest opportunity to ensure communications and information provision is inclusive for all.

Section 2: Price Promotions

4. Is the proposed description of the following sufficiently clear for the purpose of implementation and enforcement:

a) Multibuy?

Yes

b) Extra Free?

Yes

Please explain your answer.

We agree that the proposed description of Multi-buy and Extra Free is sufficiently clear for the purpose. Both categories should be included within the scope of the regulations, with definitions and descriptions of each promotion to enable understanding and clarity. Accompanying regulation guidance should be published which is easily accessible, inclusive and in multiple formats and languages.



Applying the policy to only certain, but not all, price promotions may lead to a weakening of the regulation's effect. Considering each promotion type individually can lead to loopholes in policy where businesses may be able to continue to promote HFSS food and drink. There is evidence showing that certain commercial industries like the food and drink, tobacco and alcohol industries push for there to be exemptions to allow for continued sales¹⁵.

The following priced promotions should also be included within the scope of regulations in-store and online: upselling, shelf-edge displays, and loyalty pricing/other purchase-related loyalty rewards. Such inclusion would recognise the negative impact these promotions have on people's purchasing, consumption, and health¹⁶.

5. Is the proposed timescale of 12 months at paragraph 53 of the consultation sufficient to allow price promotions on packaging to be phased out?

Yes.

Please explain your answer.

The proposed time scale is a sufficient amount of time to phase out price promotions on packaging if businesses are given sufficient and clear instruction and guidance on what is required of them.

If a longer period was permitted, we would be concerned that the implementation of the regulations and their positive effects on people's health would be delayed.

Previous voluntary agreements were introduced by the Supporting Healthy Choices Framework but they did not produce the results required to have a significant impact on consumer purchasing behaviour¹⁷, in part due to a lack of time limits.



7. If meal deals are included within scope of the policy, which would be your preferred option for targeting them?

Option 1 – Meal deals cannot contain targeted high in fat, sugar or salt discretionary foods.

Please explain your answer, including any alternative suggestions for how promotion regulations could help improve meal deals to better support a healthy diet.

Option 1 is comprehensive and is the most likely choice to fulfil the aims of the regulations. As it provides a blanket approach to implementation, it is a simpler model for enforcement and public and retailer understanding. A policy which targets discretionary foods, and aligns with a whole category approach, and all elements of price and location promotion will deliver the most effective change in the population's diet.

Due to the increased cost of food driven by the cost of living crisis, price parity is of even greater importance. Although HFSS will be removed with the implementation of this option, the healthier products replacing them should remain at a similar, affordable price point to ensure that the regulations are as effective as possible. Evidence shows that healthy food can be up to three times more expensive than unhealthy food so this measure would allow healthier products to be promoted, giving them centre stage in businesses and online, helping everyone to access healthier products¹⁸.

For consumer choice, the regulations should also state that non-HFSS equivalents should be available and promoted where HFSS products have been moved. Additionally, the regulations will not remove the HFSS products from businesses. This means that customers can still buy them if they choose to without being subject to behavioural coercion.

We recognise that Option 3 provides more flexibility for businesses, however, we believe that public health should be prioritised under these



regulations given the current state of Scotland's diet and health. Food businesses have a duty of care towards their customers to provide them with food that keep them healthy. In implementing this option, they will be supporting the work of dietary guidelines.

8. If temporary price reductions (TPRs) are included within scope of the policy, is the proposed broad definition sufficient for implementation and enforcement?

Yes.

Please explain your answer.

TPRs are sufficiently defined for implementation and enforcement.

We strongly recommend that TPRs be included within the scope of the regulations. TPRs are the most commonly used form of price promotion in Scotland in-store and online. According to the Food Standards Agency Scotland, TPRs continue to be the promotion type in which the highest volume of food and drink is purchased (14.4%). Likewise, the most common price promotion used for online purchases are TPRs (18.3%)¹⁹. Regulations should apply throughout the year, as during Christmas and seasonal periods TPRs make up around a quarter of all price promotions²⁰.

If TPRs are not included within the scope of the regulations, their impact will be severely undermined due to their high use of HFSS product promotion in Scotland.

9. What, if any, implications do you expect there would be for businesses if temporary price reductions (TPRs) are included within scope of this policy? Please give us your views.

One of the arguments presented against the inclusion of TPRs in price promotion restrictions is the issue of defining 'temporary' price reductions. According to the Advertising Standards Agency, there is no set time that goods can be available at promotional prices²¹, but have ruled that



promotional prices should be charged for less time than 'usual' selling prices²². Most businesses put them in place for two to five weeks²³.

Section 3: Location Restrictions

10. Are the proposed descriptions of the following prominent in-store locations sufficiently clear for implementation and enforcement?

a) Checkout?

No.

Please explain your answer.

Removing discretionary food and drinks from checkouts including the out of home (OOH) sector would lead to a fall in HFSS products bought. However, the current description used in the consultation would allow for HFSS foods to be highly visible and accessible to customers, particularly in smaller businesses, as they would be placed in an aisle within two metres of a checkout and in the queuing area. The ALLIANCE recommends that the description includes the area behind the counter/checkout areas to discourage impulse purchases.

b) End of aisle?

No.

Please explain your answer.

A definition of aisle is required, for example, 'the structure or shelving unit on which products are placed or the space/corridor between structures'. Making this clear within the regulations and accompanying guidance would assist with implementation and enforcement.

c) Store entrances?

No.



Please explain your answer.

The prohibited distance description is not clear or accessibly written for implementation and enforcement. The prohibited distance should be extended to 10 metres, as over 70% of all food and drinks are promoted in 'prime' locations. For example, those located within 10 metres of store entrances are products classified as those which contribute significantly to children's sugar and calorie intake²⁴.

Regulations should also consider the inclusion of windows within the store entrances description as they are one of the first things customers see. Accompanying regulation guidance should be published which is easily accessible, inclusive and in multiple formats and languages. It should also include photos or illustrations to aid understanding.

D) Covered external areas?

No.

Please explain your answer.

The description stating that a covered external area must be connected to a store's main shopping area has the potential to create a loophole for businesses. The description should include all entrances to businesses, free-standing displays and vending machines.

e) Free-standing displays?

Yes.

Please explain your answer.

We know that the way and where products are placed in businesses impacts the likelihood that customers will purchase and consume them. The more visible a product the more likely it will nudge people towards choosing them.



11. Do you agree with the proposed approach to applying store entrance criteria to dedicated food areas within stores, as described at paragraphs 97-99 of our consultation?

Please refer to our answer to question 10.

12. Do you agree with the proposed description for relevant floor area?

No.

Please explain your answer.

The proposed description should include the area behind counter or checkout if they are visible to customers. By not including concessions within the regulations, HFSS products will simply be moved but still visible and accessible to customers. For clarity, 'areas where the food displayed is intended for immediate consumption' requires more explanation or a list of areas that this exclusion would apply to.

13. Please provide any additional comments on the proposals for in-store locations within scope of the policy.

The proposals could and should go much further in terms of the locations to be included. The locations identified in the current consultation have been significantly reduced from those identified in the 2018 consultation.

We recommend that the following additional in-store locations should be included within the scope of the regulations: in-aisle displays, branded chillers/fridges, promotional/seasonal aisles, floor stickers, shelf edges, signage, and pallets placed in any location in store. These labels and displays were specified in the Scottish Government consultation in 2018, but are not in the current consultation.

Limiting the in-store locations where the regulations will apply will allow for other location promotions to be permitted in parts of the store not covered by the regulations. As in England, businesses were able to draw significant



attention to promotions of HFSS products, whilst still foods, while still complying with location restrictions that prevent checkouts, front of store or aisle ends being used for promotions²⁵.

In the consultation document, it states that location restrictions would apply only to pre-packaged food and non-pre-packaged soft drinks. This exemption makes the impact of the regulations redundant, as in-store location promotions will just be moved to non-pre-packaged goods. These location restrictions should apply to all products, whether pre-packaged or not.

14. Are the proposed descriptions of the following online equivalent in-store locations sufficiently clear for implementation and enforcement? Please explain your answers.

Proposals a to c are sufficiently clear for implementation and enforcement. However, accompanying regulation guidance should be published which is easily accessible, inclusive and in multiple formats and languages. It should also include photos or illustrations to aid understanding.

a. Home page

Yes.

b. Favourites page

Yes.

c. Pages not opened intentionally by the consumer

Yes.

d. Checkout pages

No.



Please explain your answer.

The description of checkout pages should also include shopping baskets. Businesses often use baskets as a final opportunity to advertise HFSS products. Around 60% of additions to online shopping baskets were ‘disrupted’ as a result of site searches or engagements with retailers’ promotions²⁶

15. Are there any other equivalent online locations that should be within scope of the policy?

Yes.

Please explain your answer.

We believe that social media should be included within the scope of the regulations. Promotions of HFSS products are pervasive, in part due to social media influencing. We know that this can boost the uptake of promotions even further and influence certain groups such as children and young people. Research has found that HFSS products, such as high-caffeine energy drinks, are marketed exclusively on social media platforms²⁷.

16. Please provide any additional comments on the proposals for online locations within scope of the policy.

To create a cohesive strategy that tackles health harms resulting from the promotion and marketing of HFSS food, the online environment must receive the same restrictions as in-store environments. Emphasis should be made on promotions such as TPRs and non-monetary promotions as they are the most commonly used promotions online, accounting for around 60% of price promotions online mainly for discretionary HFSS products²⁸. This would provide a consistent and fair approach to businesses and avoid any ‘displacement’ effects of not applying the regulations in such a way across all channels.



We welcome the inclusion of online aggregator sites and delivery apps within the proposed regulations. This is especially significant as these platforms largely promote unhealthy HFSS products. Within this context, regulations should state that healthier options should be promoted in place of HFSS products. Where healthy food and restaurant options were repositioned and promoted in digital environments, consumers were found to order 6% and 12% fewer calories respectively²⁹.

Identifying the strategic placement of products, research participants called industry tactics for selling and advertising HFSS products as “underhand” and “sneaky”³⁰. Members of the public are supportive of such regulations and want more access to healthy foods, with 87% supporting interventions to ensure special offers and promotions are applied to healthy foods and everyday essentials in-store and online³¹.

We believe that regulations on online HFSS products can be implemented easily, and the benefits of doing so will be seen quickly due to high usage. Applying the policy equally ensures a level playing field for businesses and will maximise health benefits.

Section 4: Businesses in Scope

17. Are the types of business within the scope of the policy sufficiently described for the purpose of implementation and enforcement?

No.

Please explain your answer.

The category ‘other outlets’ is unclear. For clarity, we suggest providing an example list of businesses that would be included within the scope of this category.

18. Is the proposed extension of restrictions to online sales, including through online aggregator sites and apps, (see paragraph 119)



sufficiently described for the purpose of implementation and enforcement?

No.

Please explain your answer.

For clarity, we suggest that all locations on online aggregator sites and apps should be captured by the promotions restrictions, as with online sites. It is unclear whether this will occur due to the use of 'may' in paragraph 119.

19. Are the arrangements for franchises and symbol groups sufficiently described for the purpose of implementation and enforcement?

No.

Please explain your answer.

For clarity, we suggest providing an example list of businesses that would be included within the scope of this category. Any regulation that seeks to address this issue must be applied consistently across all retail businesses, including franchises to be effective and avoid the exploitation of potential loopholes.

20. Do you foresee any impacts on the ability of businesses to trade either within the UK market or internationally from any of the proposed measures?

If the regulations are amended to include businesses with under 50 employees, it provides an opportunity for the Scottish Government to support convenience stores to meet the public health needs of their communities. This would build on the 'Go Local' programme and the implementation of Local Living and 20-minute neighbourhoods³². The quality of available facilities, services and spaces that meet people's needs, such as access to healthy, nutritious food is extremely important for reducing health inequalities, particularly in areas of multiple deprivation.



Section 5: Exemptions from location restrictions

22. Are the proposed exemptions from location restrictions based on business type clear and sufficiently defined to enable implementation and enforcement?

Yes.

Please explain your answer.

The proposed exemptions are clear and sufficiently defined to enable implementation and enforcement.

23. Are the exemptions from location restrictions based on individual store relevant floor area clear and sufficiently defined to enable implementation and enforcement?

Yes.

Please explain your answer.

The proposed exemptions are clear and sufficiently defined to enable implementation and enforcement.

24. Please provide any additional comments on proposed exemptions from locations restrictions.

Since the COVID-19 pandemic, people have spent more time consuming food away from home or out of home (OOH). A vast majority of food purchased from the OOH sector is non-pre-packed³³. The boundaries between eating, drinking, playing, informing and socialising have been blended highlighting that the regulations should not consider food and drink businesses in isolation.

As the proposed regulations exclude businesses with under 50 employees from the scope of the regulations many businesses such as fast food outlets, takeaways and other similar OOH businesses would still be able to



promote unhealthy HFSS products. The ALLIANCE believes that this could continue to have a significant impact on the health inequalities of people from lower socio-economic backgrounds and those living in deprived areas. For example, convenience stores are more prevalent in more deprived areas. We strongly recommend that businesses with 50 employees or less are included within the scope of the regulations.

Regulations should also include publicly run or operated facilities where food is purchased by the public. The regulations should apply to any business selling HFSS products, especially those providing a public service, regardless of whether they are an online, OOH or in-store business. We are highly concerned that the proposed regulations would not apply to schools and care homes. This is particularly concerning due to the known link that unhealthy eating in childhood causes obesity and ill health in adulthood.

We know that there is a lack of access to healthy food and drink choices is particularly prominent for certain groups in Scotland. In our My Support, My Choice research on people's experiences of Self-directed Support and social care, participants told us that they had limited choice when it came to food and were given food that was quick to prepare and eat such as ready meals³⁴.

This exclusion reflects a failure to protect and nurture children and young people, contributing to childhood obesity rates and the continued widening of inequalities between the most and least affluent groups³⁵. We urge for the regulations to include social care, education and community settings within the scope of the regulations.

25. Do you agree with the proposed use of administrative sanctions for enforcement of the policy?

Yes.



Please explain your answer.

A tiered approach is fair and proportionate but provides enough disincentive to comply with the regulations. To aid with the implementation of the proposed regulations, we suggest that guidance accompanying the regulations explains, clearly and accessibly in multiple formats in languages, the responsibilities of businesses, how they can comply and the sanctions they might be subject to for non-compliance.

26. Do you agree with the maximum penalties proposed for the offences in relation to enforcement of the policy?

Yes.

Please explain your answer.

Please refer to our answer to question 25.

27. Is the proposed 12 month period following the introduction of regulations sufficient to prepare for:

a. Implementation

Yes.

b. Enforcement

Yes.

Please explain your answers.

If enacted the regulations must be accompanied by awareness raising and training for local authorities, businesses and individuals. The Obesity Health Alliance and Food Act!ve found English businesses and environmental health officers found it difficult to identify in-scope food, drink and business size and wanted more training on this³⁶. This would allow for efficient and effective implementation and enforcement.



Awareness raising and training should include the provision of accessible and inclusive resources, in multiple formats and languages, to help with identifying in-scope products and businesses and prevent unintended breaches of the regulations.

Although there was good awareness of the legislation, key issues in local authorities included staffing issues and a lack of resource and time capacity. We recommend that the regulations are sufficiently resourced by ring-fenced, long-term funding to combat potential training, staffing and capacity issues in Scotland.

Section 7: Other comments

28. Please outline any other comments you wish to make on this consultation.

Consumption of HFSS products is a cause of non-communicable diseases (NCDs) and a driver of health inequalities in Scotland³⁷. These outcomes are entirely preventable. Unhealthy Commodity Industries (UCI) continue to pose a significant barrier to progress in this area³⁸. If the Scottish Government is to address NCDs and health inequalities, then it must also address and tackle all commercial determinants of health on an equal footing to the social determinants of health.

The regulations must be informed by a comprehensive public health approach which ensures that commercial activities of Unhealthy Commodity Industries (UCI) support rather than worsen people's health outcomes. This approach would enable Scotland to address and tackle the stigma placed on individuals and the choices they make, rather than the range of actions taken by commercial actors which limit the options available to people³⁹.

More attention needs to focus on underlying and deep-rooted societal issues, including addressing poverty and health inequalities, rather than on individual behaviours. We believe that open conversations across society to speak about what people want to see in their local communities and the



food they need should be facilitated to inform and co-produce this and future policy. Alongside the implementation of the regulations such as this, this includes investing in high-quality accessible public services, preventative spending, and income-based policies such as introducing a Minimum Income Guarantee or Universal Basic Income.

If the regulations are introduced, to measure the impact of the regulation, there should be a duty placed on local authorities to routinely collect disaggregated and intersectional data on implementation and enforcement. This data should include information on businesses and local populations. Data should be reviewed by the Scottish Government to ensure improvements can be made if any gaps in implementation and enforcement are found.

About the ALLIANCE

The Health and Social Care Alliance Scotland (the ALLIANCE) is the national third sector intermediary for health and social care, bringing together a diverse range of people and organisations who share our vision, which is a Scotland where everyone has a strong voice and enjoys their right to live well with dignity and respect.

We are a strategic partner of the Scottish Government and have close working relationships with many NHS Boards, academic institutions and key organisations spanning health, social care, housing and digital technology.

Our purpose is to improve the wellbeing of people and communities across Scotland. We bring together the expertise of people with lived experience, the third sector, and organisations across health and social care to inform policy, practice and service delivery. Together our voice is stronger and we use it to make meaningful change at the local and national level.



The ALLIANCE has a strong and diverse membership of over 3,500 organisations and individuals. Our broad range of programmes and activities deliver support, research and policy development, digital innovation and knowledge sharing. We manage funding and spotlight innovative projects; working with our members and partners to ensure lived experience and third sector expertise is listened to and acted upon by informing national policy and campaigns, and putting people at the centre of designing support and services.

We aim to:

- Ensure disabled people, people with long term conditions and unpaid carers voices, expertise and rights drive policy and sit at the heart of design, delivery and improvement of support and services.
- Support transformational change that works with individual and community assets, helping people to live well, supporting human rights, self management, co-production and independent living.
- Champion and support the third sector as a vital strategic and delivery partner, and foster cross-sector understanding and partnership.

Contact

Billi Allen-Mandeville, Policy and Information Officer

E: billi.allen-mandeville@alliance-scotland.org.uk

Rob Gowans, Policy and Public Affairs Manager

E: rob.gowans@alliance-scotland.org.uk

T: 0141 404 0231

W: <http://www.alliance-scotland.org.uk/>



¹ Health and Social Care Alliance (the ALLIANCE), *National Good Food Nation Plan and Specified Functions Consultation – ALLIANCE response*, (2024) available at: [ALLIANCE responds to Good Food Nation Plan consultation - Health and Social Care Alliance Scotland \(alliance-scotland.org.uk\)](https://alliance-scotland.org.uk); Health and Social Care Alliance (the ALLIANCE), *ALLIANCE response to Good Food Nation (Scotland) Bill*, (2021) available at: [ALLIANCE response to Good Food Nation \(Scotland\) Bill - Health and Social Care Alliance Scotland \(alliance-scotland.org.uk\)](https://alliance-scotland.org.uk).

² United Nations, International Covenant of Economic, Social and Cultural Rights; United Nations, United Nations Committee on the Economic, Social and Cultural Rights; European Social Charter (ETS No.163) (1961).

³ Food Standards Scotland, *Monitoring retail purchase and price promotions in Scotland 109-2022*, (2024) available at: [Monitoring Retail Purchase and Price Promotions in Scotland 2019-2022 \(foodstandards.gov.scot\)](https://foodstandards.gov.scot).

⁴ Public Health Scotland and Food Standards Scotland, *Transforming our food environment: a spotlight on promotions briefing paper*, (2024) available at: [It's time to put health first: Transforming our food environment \(publichealthscotland.scot\)](https://publichealthscotland.scot).

⁵ Watt, T., et al., *The impact of price promotions on sales of unhealthy food and drink products in British retail stores*, (2022) available at: [The impact of price promotions on sales of unhealthy food and drink products in British retail stores - Watt - 2023 - Health Economics - Wiley Online Library](https://onlinelibrary.wiley.com/doi/10.1111/1471-2390.15444); Kopasker, D., et al., *Longitudinal study of the effects of price and promotion incentives on purchases of unhealthy foods: evidence for restricting food promotions*, (2022) available at: [Longitudinal study of the effects of price and promotion incentives on purchases of unhealthy foods: evidence for restricting food promotions | BMJ Nutrition, Prevention & Health](https://onlinelibrary.wiley.com/doi/10.1111/nph.15444); Watt, T., et al., *Reducing consumption of unhealthy foods and beverages through banning price promotions: what is the evidence and will it work?*, (2020) available at: [Reducing consumption of unhealthy foods and beverages through banning price promotions: what is the evidence and will it work? - PMC \(nih.gov\)](https://pubmed.ncbi.nlm.nih.gov/32444444/); Martin, L., et al., *Rapid evidence review: The impact of promotions on high fat, sugar and salt (HFSS) food and drink on consumer purchasing and consumption behaviour and the effectiveness of retail environment intervention*, (2017) available at: [Rapid evidence review: Impact of promotions on high fat, sugar and salt \(HFSS\) food and drink on consumer purchasing and consumption behaviour and effectiveness of retail environment interventions \(healthscotland.scot\)](https://www.healthscotland.scot).

⁶ Scottish Government, *A healthier future: Scotland's diet and healthy weight delivery plan*, (2018) available at: [A healthier future: Scotland's diet and healthy weight delivery plan - gov.scot \(www.gov.scot\)](https://www.gov.scot); Scottish Government, *Tackling Child Poverty Delivery Plan*, (2022) available at: [Tackling Child Poverty Delivery Plan 2022-26 - gov.scot \(www.gov.scot\)](https://www.gov.scot); SNP, *SNP Leadership 2024: John Swinney's acceptance speech in full*, (2024) available at: [SNP Leadership 2024: John Swinney's acceptance speech in full — Scottish National Party](https://www.scottishnationalparty.com).

⁷ British Heart Foundation, *Restrict price and location promotions on high fat, sugar and salt (HFSS) products*, (2022) available at: [ncd-briefings-2022.pdf \(bhf.org.uk\)](https://www.bhf.org.uk).

⁸ Scottish Government, *A healthier future: Scotland's diet and healthy weight delivery plan*, (2018) available at: [A healthier future: Scotland's diet and healthy weight delivery plan - gov.scot \(www.gov.scot\)](https://www.gov.scot); Scottish Government, *Tackling Child Poverty Delivery Plan*, (2022) available at: [Tackling Child Poverty Delivery Plan 2022-26 - gov.scot \(www.gov.scot\)](https://www.gov.scot); SNP, *SNP Leadership 2024: John Swinney's acceptance speech in full*, (2024) available at: [SNP Leadership 2024: John Swinney's acceptance speech in full — Scottish National Party](https://www.scottishnationalparty.com).

⁹ British Heart Foundation, *Restrict price and location promotions on high fat, sugar and salt (HFSS) products*, (2022) available at: [ncd-briefings-2022.pdf \(bhf.org.uk\)](https://www.bhf.org.uk).

¹⁰ Public Health England, *Annex A: The 2018 review of the UK Nutrient Profiling Model*, (2018) available at: [Annex A -The 2018 review of the UK nutrient profiling model \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk).

¹¹ World Health Organisation (WHO), *WHO Regional Office for Europe nutrient profile model: second edition*, (2023) available at: [WHO Regional Office for Europe nutrient profile model: second edition](https://www.euro.who.int).

¹² NHS Inform, *Food labelling*, (2023) available at: [Food labelling - Food and nutrition | NHS inform](https://www.nhs.uk); Food Standards Agency, *Food allergen labelling and information requirements technical guidance: Part 2*:



Guidance for businesses providing non-prepacked food, (2024) available at: [Food allergen labelling and information requirements technical guidance: Part 2: Guidance for businesses providing non-prepacked food | Food Standards Agency](#); Department for Environment, Food and Rural Affairs, *Food labelling: giving food information to consumers*, (2015) available at: [Food labelling: giving food information to consumers - GOV.UK \(www.gov.uk\)](#).

¹³ Scottish Government, *Consultation on Mandatory Calorie Labelling in the Out of Home Sector in Scotland*, (2022) available at: [Consultation on Mandatory Calorie Labelling in the Out of Home Sector in Scotland \(www.gov.scot\)](#).

¹⁴ Disability Equality Scotland, *Six Principles of Inclusive Communication*, (2011) available at: [The six principles of inclusive communication - Welcome to the Inclusive Communication Hub](#).

¹⁵ Stuckler, D., et al., *Manufacturing Epidemics: The Role of Global Producers in Increased Consumption of Unhealthy Commodities Including Processed Foods, Alcohol, and Tobacco*, (2012) available at: [\[PDF\] Manufacturing Epidemics: The Role of Global Producers in Increased Consumption of Unhealthy Commodities Including Processed Foods, Alcohol, and Tobacco | Semantic Scholar](#); Capewell, S. and Lloyd-Williams, F., *The role of the food industry in health: lessons from tobacco?*, (2018) available at: [role of the food industry in health: lessons from tobacco? | British Medical Bulletin | Oxford Academic \(oup.com\)](#); Brownell, K. and Warner, K., *The perils of ignoring history: Big Tobacco played dirty and millions died. How similar is Big Food?*, (2009) available at: [The perils of ignoring history: Big Tobacco played dirty and millions died. How similar is Big Food? - PubMed \(nih.gov\)](#); McCambridge, J. et al., *Alcohol industry involvement in policymaking: a systematic review*, (2018) available at: [Alcohol industry involvement in policymaking: a systematic review - PubMed \(nih.gov\)](#).

¹⁶ Scottish Government, *Reducing Health Harms of Foods High in Fat, Sugar or Salt Consultation Paper*, (2018) available at: [Reducing Health Harms of Foods High in Fat, Sugar or Salt: Consultation Paper \(www.gov.scot\)](#).

¹⁷ Food Standards Agency and Scottish Government, *Supporting Healthy Action: A framework for voluntary action*, (2014) available at: https://www.foodstandards.gov.scot/downloads/Supporting_Healthy_Choices.pdf.

¹⁸ Action on Sugar, *Price Promotion Restrictions*, (2023) available at: [Price promotion restrictions - Action on Sugar](#).

¹⁹ Food Standards Scotland, *Monitoring retail purchase and price promotions in Scotland 109-2022*, (2024) available at: [Monitoring Retail Purchase and Price Promotions in Scotland 2019-2022 \(foodstandards.gov.scot\)](#).

²⁰ Obesity Action Scotland, *Obesity and Promotions of HFSS Products Briefing*, (2022) available at: [obesity-and-promotions-of-hfss-products-nov-2022.pdf \(obesityactionscotland.org\)](#).

²¹ Advertising Standards Agency, *UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (CAP Code)*, [Non-broadcast Code - ASA | CAP](#).

²² Advertising Standards Agency, *ASA Ruling on Carpetright Ltd.*, (2023) available at: [Carpetright Ltd - ASA | CAP](#).

²³ Public Health England and Kantar World Panel UK, *An analysis of the role of price promotions on the household purchases of food and drinks high in sugar, and purchases of food and drinks for out of home consumption*, (2020) available at: [Sugar Reduction analysis of price promotions on the household purchases of food and drinks high in sugar 4 .pdf \(publishing.service.gov.uk\)](#).

²⁴ Wallis, L. and Moore, S., *Product promotions in online supermarkets: prevalence of 'High Fat Sugar Salt' (HFSS) products and labelling characteristics*, (2023) available at: [Product promotions in online supermarkets: prevalence of 'High Fat Sugar Salt' \(HFSS\) products and labelling characteristics | Public Health Nutrition | Cambridge Core](#).

²⁵ Obesity Action Scotland, *Consultation response*, (2022) available at: www.obesityactionscotland.org.

²⁶ Obesity Action Scotland, *Restricting price and location promotions of high fat, sugar and salt (HFSS) products*, (2023) available at: [oas-position-paper-price-and-location-promotions-of-hfss-products-november-2023-final.pdf \(obesityactionscotland.org\)](#).



-
- ²⁷ NCD Alliance and Diffley Partnership, *Commercial Determinants of Health and Public Attitudes: A Deliberative Research Approach*, (2023) available at: [NCD-Deliberative-Research-Diffley-Report.pdf \(diffleypartnership.co.uk\)](#).
- ²⁸ Obesity Action Scotland, *Obesity and Promotions of HFSS Products Briefing*, (2022) available at: [obesity-and-promotions-of-hfss-products-nov-2022.pdf \(obesityactionsotland.org\)](#).
- ²⁹ NESTA, *Reordering food options on delivery apps could help to reduce obesity*, (2022) available at: [Nesta_BIT_AHL_Food_delivery_apps_July_2022_Final_pdf_aWtrcHp.pdf](#).
- ³⁰ NCD Alliance and Diffley Partnership, *Commercial Determinants of Health and Public Attitudes: A Deliberative Research Approach*, (2023) available at: [NCD-Deliberative-Research-Diffley-Report.pdf \(diffleypartnership.co.uk\)](#).
- ³¹ Obesity Action Scotland, *Obesity and Promotions of HFSS Products Briefing*, (2022) available at: [obesity-and-promotions-of-hfss-products-nov-2022.pdf \(obesityactionsotland.org\)](#).
- ³² Scottish Grocer's Federation, *SGF Go Local*, (2024) available at: [Go Local | Scottish Grocers' Federation \(SGF\) \(sgfscot.co.uk\)](#); Health and Social Care Alliance (the ALLIANCE), *ALLIANCE responds to 20 minute neighbourhood planning guidance*, (2023) available at: [ALLIANCE responds to 20 minute neighbourhood planning guidance - Health and Social Care Alliance Scotland \(alliance-scotland.org.uk\)](#).
- ³³ Food Standards Scotland, *Diet and Nutrition: Recommendations for an out of home strategy for Scotland*, (2019) available at: [Diet and Nutrition - Recommendations for an out of home strategy for Scotland.pdf \(foodstandards.gov.scot\)](#).
- ³⁴ Health and Social Care Alliance (the ALLIANCE), *My Support My Choice: People's Experiences of Self-directed Support in Scotland*, (2024) available at: [My Support My Choice - Policy and research \(alliance-scotland.org.uk\)](#).
- ³⁵ Public Health Scotland and Food Standards Scotland, *Transforming our food environment: a spotlight on promotions briefing paper*, (2024) available at: [It's time to put health first: Transforming our food environment \(publichealthscotland.scot\)](#).
- ³⁶ Obesity Health Alliance and Food Act!ve, *Location, Location, Location: Exploring the impact and implementation of the promotion of high in fat, sugar and salt products by locations legislation in England*, (2023) available at: [Location, location, location \(foodactive.org.uk\)](#).
- ³⁷ SPECTRUM, *The Commercial Determinants of Health (CDOH), adverse policy influence and conflicts of interest*, (2021) available at: [spectrum_cdoH_and_policy_influence_131221.pdf \(ed.ac.uk\)](#).
- ³⁸ *ibid*.
- ³⁹ Health and Social Care Alliance (the ALLIANCE), *Reducing Stigma: Emphasising Humanity*, (2022) available at: [Reducing Stigma, Emphasising Humanity: new report - Health and Social Care Alliance Scotland \(alliance-scotland.org.uk\)](#)

