Consultation response: Applying the new NPM to advertising and promotions restrictions

17th June 2026

Do you agree or disagree that applying the new NPM to the advertising and promotions restrictions will improve population health?

Agree

- We support sustained, system-wide action to create food environments where healthier, more sustainable foods are accessible/affordable. Restricting advertising/promotion of less healthy foods, particularly to children, can contribute. Increasing availability and prominence of healthier foods/reducing exposure to less healthy options is associated with healthier choices.
- From a public health perspective, NPM2018 aligns more closely with current scientific evidence and SACN recommendations, particularly regarding free sugars and fibre. Evidence linking higher fibre intakes with reduced risk of colorectal cancer, CVD, T2D and all-cause mortality has strengthened. The association between free sugars and dental caries is well established, while high intakes of free sugars, particularly from sugar sweetened beverages, are associated with increased energy intake and obesity risk. Evidence linking free sugars from foods to obesity is less consistent, although higher intakes can contribute to overall dietary energy and metabolic risk, and are typically associated with poorer dietary patterns.
- More products will be classified as less healthy under NPM2018 (estimated 8% fewer). However, public health impact will depend on implementation/ monitoring/enforcement and industry response, alongside wider policy action. Sugar reduction doesn't necessarily reduce calorie content if replaced by fat/starch/protein. It's unclear whether NPM2018 will continue to incentivise reformulation/innovation, particularly where meeting thresholds is not technically feasible or commercially viable.
- Nutritional implications also require consideration. Some products, including lower-sugar yogurts, higher-fibre breakfast cereals and some fortified plant-based alternatives may be classified as 'less healthy' despite providing beneficial nutrients and representing comparatively healthier choices within categories.
- Consideration is the inevitable wider use of the model for 'less healthy' product classification (e.g. unsweetened fruit juices). While NPM2018 better reflects current nutrition evidence, its impact will depend on implementation/effects on reformulation/management of unintended consequences.

Do you agree or disagree that applying the new NPM to the advertising and promotions restrictions will capture the products that contribute to childhood obesity?

Agree

- The categories currently in scope broadly reflect the major contributors to free sugars intakes identified in the National Diet and Nutrition Survey and align with foods that dietary guidelines recommend limiting.

- NPM2018 may improve differentiation between products within broad categories such as ready meals and pizzas, where the previous model had limited sensitivity. Greater stringency within categories could support healthier reformulation and provide a more targeted approach to identifying less healthy products.
- However, there are some exclusions that could be reconsidered to better align regulation with dietary recommendations and public health objectives. Examples may include jams, garlic bread and non-prepacked bakery items e.g. doughnuts, croissants and pastries. If the purpose of HFSS regulation is to reduce exposure to less healthy foods, it is difficult to justify why some nutritionally poor products remain exempt while others are restricted. Such exemptions may weaken consistency between nutritional principles, regulatory approaches and public health messaging, while also creating potential loopholes and adding complexity to enforcement.
- Responsible business approaches to advertising and promotions may already consider the wider portfolio of HFSS products, rather than only those explicitly within scope of the regulations. Furthermore, the NPM is increasingly used beyond these specific regulations and has become more widely associated — both publicly and operationally — with the definition of “healthy” and “less healthy” foods. The model is frequently applied by regulators, retailers and manufacturers in wider contexts, including promotion strategies, product ranging decisions and internal nutrition policies.
- For this reason, it is important that the model remains aligned with UK dietary recommendations and broader public health messaging. The practical implementation of the model often extends beyond its original technical regulatory purpose and inconsistencies within categories or exemptions may have wider implications for consumer understanding and industry behaviour.

If the technical guidance requires any further clarity to help you to determine if a product is classified as 'less healthy', please set this out here.

- Clear, operational guidance will be essential to support robust implementation and should enable calculations of free sugars to be reproducible, transparent and consistently applied across industry, regulators and enforcement bodies. Given the technical complexity, guidance must be sufficiently detailed to support users in real-world settings, including those with limited nutrition/regulatory expertise.
- Live guidance and training resources should include comprehensive worked examples and precise definitions to ensure fit for purpose, minimise ambiguity and support consistent interpretation. Clarity is needed on:
    - free sugars calculations for composite foods;
    - treatment of processed fruit/vegetable ingredients and the point of moving from “intact” to contributing free sugars, particularly relevant given increasing use of concentrates/purées/powders/dehydrated ingredients. More detailed examples are required for products containing vegetables in different physical forms e.g. coarsely grated/finely diced /blended in sauces, soups, ready meals.
- Whilst estimations may be appropriate for population-level analysis, they are less suitable for regulatory outcomes for individual products. Use of assumed free sugars values could lead to inconsistent classification, placing disproportionate burden on retailers managing large product portfolios and smaller businesses with limited analytical capacity, while increasing enforcement challenges. Guidance should be co-produced with industry, academics, policy experts, enforcement authorities and NGOs to ensure implementation challenges are addressed.
- Existing methodologies may support consistency e.g. the University of Toronto Food Label Information Program methodology for estimating free sugars may provide a useful starting point. The WHO (Europe) NPM recognises challenges in assessing free

sugars and in some categories providing important micronutrients, where free sugar estimation is not feasible, permits alternative thresholds based on total sugars.
- Guidance should prioritise clarity, consistency and practicality to support implementation, minimise unintended consequences and maintain confidence in application and enforcement.

How can government support businesses during an implementation period?

- A 12-month implementation period may be acceptable in principle, but only if key technical, methodological/governance issues are resolved in advance. While concerns have been raised about delays to policy implementation and their impact on obesity prevalence, the development/application of a robust NPM are inherently complex. Ensuring the policy is accurate, proportionate and enforceable is critical to achieving meaningful public health outcomes.
- A key concern is that implementation may inadvertently delay/detract from other important policy measures, particularly mandatory reporting requirements. Prioritising rollout of NPM2018 could divert limited resources from such urgent complementary interventions. Implementation is likely to be inconsistent without a universally agreed, validated, reproducible method for calculating free sugars. Government should publish clear authoritative methodology, supported by validation and governance processes.
- As AI/machine-learning tools are increasingly used to assess composition, such methodologies must be transparent, independently validated and formally endorsed, and not based on assumptions within algorithms that may lack accuracy/consistency.
- An independent third-party body could securely manage protected data and develop a standardised database. Although this may extend initial timelines, it would provide a consistent foundation for implementation and ongoing monitoring.
- A phased approach could help mitigate risks, with initial rollout focused on categories where calculations are more straightforward, allowing additional time to address more complex/nutritionally significant categories, including plant-based products, dairy and wholegrain breakfast cereals.
- Implementation must be supported by robust enforcement, monitoring and evaluation systems and align with wider public health strategies including School Food Standards, sugar/calorie reduction, public procurement standards and reporting requirements.
- Government should ensure foundational technical issues are resolved, phased approaches considered, comprehensive guidance put in place, and that implementation doesn't compromise other critical policies.

What kind of support would be useful to enable enforcement authorities to effectively adapt to the new NPM being applied to the advertising and promotions restrictions?

- Whilst the overall mechanisms for implementation and enforcement may remain broadly unchanged, enforcing NPM2018 presents practical challenges in the absence of a clearly defined and standardised methodology for calculating free sugars and overall NPM scores. Without this, there is risk of inconsistency, reduced compliance and legal challenge.
- A comprehensive technical guidance document is therefore essential. This should set out clearly defined and acceptable methods for calculating free sugars, worked examples for complex products and agreed tolerances to support proportionate and consistent enforcement.
- Training and capacity-building for enforcement officers will also be critical. This should cover both the practical application of the model and interpretation of guidance,

alongside the broader public health rationale underpinning restrictions on less healthy foods. Ensuring access to appropriate technical expertise and resources will support confidence and consistency in enforcement.

- The provision of practical tools would further support implementation. This could include standardised calculation templates, digital scoring tools and a shared database of product classifications. A centralised source of technical advice, including live Q&As, would help resolve complex or borderline cases consistently. In addition, early development and validation of AI-based tools should be considered to minimise error and ensure reliability.
- Ongoing monitoring and feedback mechanisms would also be beneficial. These should capture areas of ambiguity, identify unintended consequences or loopholes, facilitate sharing of best practice and support evaluation of impact over time. Consistent documentation of breaches will be important to improve transparency and inform future refinement of guidance and the wider regulatory framework.

Do you think that this proposal is likely to impact on people who share a protected characteristic in a way that is different from those who do not share it?

- One protected characteristic that may be impacted is veganism (belief). People following vegan diets may be affected differently by the proposal due to their reliance on plant-based and fortified foods to meet nutritional needs.
- NPM2018 may present particular challenges for some plant-based and fortified products, especially where these contribute positively to dietary quality but may still fail to meet revised HFSS thresholds. This is relevant given UK dietary guidance encourages consumption of plant-based foods and recognises fortified dairy alternatives as part of a balanced diet.
- Evidence indicates that fortified plant-based products can provide key nutrients e.g. calcium, vitamin B12 and vitamin D and may also contribute to fibre intake. These nutrients are particularly important for individuals following vegan diets, as well as children and adolescents. However, nutrient composition varies widely, and plant-based alternatives are not always nutritionally equivalent to dairy products.
- There is a potential negative impact if products that support nutrient adequacy within vegan diets are classified as HFSS and subject to advertising and promotion restrictions. This could reduce their visibility and availability, limiting access to suitable alternatives. There is also evidence that reliance on unfortified plant-based alternatives can reduce intake of key nutrients such as iodine, with some population groups (e.g. young women and vegans) already at higher risk of deficiency.
- In addition, reformulation to meet NPM2018 thresholds may be more difficult for some fortified or composite plant-based potentially discouraging innovation or investment in products that support plant-based dietary patterns.
- Overall, while the policy is likely to have positive population-level impacts, there may be a risk of unintended negative consequences for individuals following vegan diets and treatment of fortified products and dairy alternatives within the model should be considered to ensure alignment with nutritional guidance.

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