

Wes Streeting MP
Shadow Secretary of State for Health and Social Care
House of Commons
London
SW1A 0AA

15th January 2024

Dear Wes Streeting,

We strongly welcome the emphasis you are putting on prevention of dietary ill health and measures that address health inequalities, to create population-wide change on public health, and protect the future for our NHS.

Today, a worrying new analysis published by researchers from Fuse, the Centre for Translational Research in Public Health, at Teesside University and Newcastle University suggest the effects of these drinks are **more significant and broader** than previously understood - in particular negative outcomes for children's mental health in addition to physical health¹. How much more evidence is needed before Government action?

Of particular concern is the impact these drinks are having on children's school readiness, and teachers' unions have regularly spoken about the role energy drinks can play in poor pupil behaviour and how this presents a barrier to learning².

Deprivation and socio-economic disparity are key indicators for energy drinks consumption and other unhealthy eating behaviours by children and young people, and this is likely to be widening the stark inequalities in health our most vulnerable communities are experiencing³.

It is now over four years since the current Government pledged to introduce restrictions on the sale of energy drinks to under-16s. This followed extensive public consultation and examination of the evidence of the impact of these drinks on children's health. The government's consultation in 2018 found that *over 90% of respondents* agreed that businesses should be prohibited from selling energy drinks to children⁴. The British Soft Drinks Association has also backed regulation on sales to under-16s, in recognition that many large retailers have already voluntarily restricted sales whilst many corner shops and convenience stores (which are often favoured by young people themselves on their way to and from school) continue to have these drinks readily available. Regulation would create a fair, level playing field for all.

Since that pledge to regulate, we have seen the energy drinks market boom; estimated sales of energy drinks grew by 21.6% to reach £2.2 billion in the year to December 2023⁵. Many of these drinks contain high amounts of caffeine, as much as between 160-200 mg per can in

¹ C. Ajibo et al., (2023) Consumption of energy drinks by children and young people: a systematic review examining evidence of physical effects and consumer attitudes. *Public Health*. <https://doi.org/10.1016/j.puhe.2023.08.024>

² NASUWT. Energy Drinks: <https://www.nasuwt.org.uk/advice/in-the-classroom/behaviour-management-for-teachers-in-the-classroom/energy-drinks.html#:~:text=The%20NASUWT%20is%20concerned%20that,risks%20associated%20with%20these%20products>

³ Vogel, C., Shaw, S., Strömmer, S., Crozier, S., Jenner, S., Cooper, C., . . . Barker, M. (2023). Inequalities in energy drink consumption among UK adolescents: A mixed-methods study. *Public Health Nutrition*, 26(3), 575-585.
doi:10.1017/S1368980022002592

⁴ Department for Health and Social Care (2019) Advancing our health: prevention in the 2020s – consultation document. <https://www.gov.uk/government/consultations/advancing-our-health-prevention-in-the-2020s/advancing-our-health-prevention-in-the-2020s-consultation-document>

⁵ Source: The Grocer's Top Products 2023 in association with NIQ: 52 weeks to 9 September 2023: <https://www.thegrocer.co.uk/top-products/soft-drinks-carbonates-and-energy-drinks-2023-viral-drink-prime-steals-the-spotlight/686235.article>

some cases, which is double the amounts found in an average cup of coffee (around 80 mg depending on the strength). Given this, the packaging of these drinks states that they are not suitable for children. So why are children still able to purchase them in small supermarkets and corner shops everywhere? Whilst there are more sugar-free energy drinks now available, a large proportion still contain high levels of sugar as well as very high levels of caffeine.

We would encourage the Labour Party shadow health team to:

- Ask the Secretary of State for Health and Social Care when they will publish the response to the 2018 consultation on the sales of energy drinks to under 16s, and enact the long overdue pledge to regulate these, recognising the very strong evidence base and public support for this measure.
- Commit to taking action on any future sales of these drinks to children as part of forthcoming Labour Party public health and obesity prevention strategy, should the current Government fail to regulate.

We would welcome an opportunity to discuss this further, and if you and your officials are able to meet with the academic research experts and representatives of our organisations, we'd be very happy to arrange a suitable time.

CC: Preet Gill MP, Shadow Minister for Primary Care and Public Health

Yours faithfully,

Matthew Philpott, Executive Director, Health Equalities Group
Kath Dalmeny, CEO, Sustain
Katharine Jenner, Director, Obesity Health Alliance
Professor Rachel Batterham, Chair, Obesity Empowerment Network
James Toop, CEO, Bite Back
Liz Stockley, CEO, British Dietetic Association
Colette Marshall, CEO, Diabetes UK
Pamela Healy OBE, Chief Executive, British Liver Trust
Greg Fell, President, Association of Directors of Public Health (UK)
Hannah Brinsden, Head of Policy and Advocacy, The Food Foundation
Dr Helen Stewart, Officer for Health Improvement, Royal College of Paediatrics and Child Health
Professor David Strain, Chair, BMA Board of Science Committee
Eddie Crouch, Chair, British Dental Association
Holly Gabriel, Campaign Lead, ShareAction
Barbara Crowther, Children's Food Campaign Manager, Sustain
Dr Alex Richardson, Founder Director, Food And Behaviour (FAB) Research
Kim Roberts, Chief Executive, HENRY - Healthy Start, Brighter Future
Michael Baber, Director, Health Action Research Group
Dr Adrian Brown, Chair, Obesity Specialist Group, British Dietetic Association
Professor Amelia Lake, Teesside University and Fuse, The Centre for Translational Research in Public Health
Michelle Wilkins, Head of Services, Children's Liver Disease Foundation
Dr Panagiota Mitrou, Director of Research, Innovation and Policy, World Cancer Research Fund
Dr Nicola Heslehurst, Chair, Association for the Study of Obesity
Professor Christina Vogel, Deputy Director, Centre for Food Policy
Dr Kawther Hashem, Campaign Lead, Action on Sugar
Dr Lindsey MacDonald, Magic Breakfast
Professor Maria Bryant, Fix our Food, University of York

Professor John Wass, Professor and Consultant in Endocrinology, Oxford University
David Herne, Interim Director of Public Health, Warrington Borough Council
Dr Arif Rajpura, Director of Public Health, Blackpool Council
Abdul Razzaq, Director of Public Health, Blackburn with Darwen Council
Kuiama Thompson, Director of Public Health and Wellbeing, Rochdale Borough Council
Professor Matthew Ashton, Director of Public Health, Food Active
Wendy Burke, Director of Public Health, North Tyneside Council
Sarah McNulty, Director of Public Health, Knowsley Council
Alice Wiseman, Director of Public Health, Gateshead Council
Lucy Perrow, Clinical lead Central London Community Healthcare Trust
Victoria Eaton, Director of Public Health, Leeds City Council
Debbie Watson, Director of Public Health, Tameside Metropolitan Borough Council
Mark Adams, Joint Director of Public Health, South Tees
Margaret Jones, Director of Public Health, Sefton Council

For correspondence relating to this letter, please email barbara@sustainweb.org and beth.bradshaw@foodactive.org.uk