

Honest food packaging

A submission from Children's Food Campaign / Sustain to the National Food Strategy call for evidence

National Food Strategy Priority: Deliver safe, healthy and affordable food, regardless of where people live or how much they earn.

What do we want to see?

Regulations for labelling and packaging design on food and drink to be overhauled to curb the growing trend towards unreliable and misleading claims that result in public confusion over nutritional value and/or suitability for children, and reinforcement of a mandatory nutritional labelling on packaging and menus.

Why this proposal?

According to the Food Standards Agency "Labelling is regulated to protect consumers who should have the correct information to make confident and informed food choices based on diet, allergies, personal taste or cost"¹.

However, existing regulations still permit food and drink companies to use a variety of packaging claims and pseudo-labels in ways that mislead consumers about health benefits, ingredients and suitability for children, as well as to make products directly more attractive to children (and therefore also encourage parents, grandparents to choose these for children). Public Health England has recently concluded that "Messaging and marketing associated with some products conflicts with national recommendations on infant and young child feeding and causes confusion"².

A healthy food claims and packaging framework might include:

- **Regulation to prevent companies creating or using misleading health claims and unofficial health labels** to market food and drink high in fat, salt and sugar (HFSS).. Eg. a hot chocolate powder being marketed as a 'complementing milk' for children with a brightly coloured 'Nutri-Start' front of pack logo focussing on mineral and vitamins, when the product is in fact 80% sugar and 20% cocoa.
- **A ban on child-friendly cartoon characters** – both brand owned and licensed TV and film characters – from any food and drink products carrying a red nutritional warning, or that would not be allowed to be advertised in children's media due to their high fat, salt and sugar content, failing the Nutrient Profile Model (NPM). Research into food and drink carrying child-friendly cartoon characters in June 2019 by Children's Food Campaign and

¹ <https://www.food.gov.uk/business-guidance/packaging-and-labelling>

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/812204/Foods_and_drinks_aimed_at_infants_and_young_children_June_2019.pdf

Action on Sugar & Salt showed 51% of 526 products surveyed were high in fat, salt and/or sugar³. Regulation must as a minimum cover categories including sweet and savoury snacks, biscuits, confectionery, cakes, ice creams and desserts, yoghurts, breakfast cereals, soft drinks and children's meals that fall into the HFSS category (eg tinned, ambient, chilled or frozen foods aimed at children, and out of home children's meal deals).

- **Clearer rules on ensuring product names/Front Of Pack descriptors** identify the main ingredients of the product. For example, an infant puree product name of 'broccoli, pears and peas' and 'no added sugar' label, containing 7% broccoli and 79% pears, and free sugars from pear puree resulting in 9.5g of free sugars in a 120g portion size, 50% of recommended daily maximum sugar for a child aged 4-6 years old, yet also marketed with a label of age 4+ months on pack, despite WHO recommendations to breastfeed for the first 6 months of life, and PHE advice to avoid sugar-sweetened products during children's early years⁴.
- **A shift to mandatory single colour coded system for nutritional labelling**, which 9 in 10 people say helps them make healthier choices⁵.
- **Mandatory calorie and allergen labelling** on out-of-home menus to improve clarity of information and choice to all consumers, especially parents⁶.

What impact would it have?

This proposal would create a more trustworthy level playing field for companies selling food and drink, increase the quality and clarity of information provided to members of the public, and crucially restore control and informed choice to parents and carers of children. The Government has an ambition to halve childhood obesity by 2030. It has already consulted on further advertising and promotional restrictions of HFSS products, but these will continue to be undermined while product packaging itself misleads shoppers into believing products are healthier or more suitable for children than they actually are, and whilst HFSS food & drink continues to be packaged and promoted to appeal directly to children and increase pester power.

There are precedents on countries adopting new legislation on packaging to send out much clearer health signals to consumers, as well as remove marketing devices known to appeal directly to children. For example Chile no longer allows the use of child-friendly cartoon characters on the packaging for any products that exceed thresholds for sugar, sodium, saturated fat or calories.

What does this big idea need to succeed?

Scoping & Research

Firstly, this idea would require a research process to identify which claims or marketing devices should and should not be allowed on packaging. This might include:

- Public opinion and potentially citizens' forums to identify what people would like to see allowed / banned, and which products should and should not be in scope of the restrictions.
- Review of existing packaging and trading standards in relation to nutritional claims, and how new regulations would complement and reinforce eg. nutritional information and ingredient labelling.

³ https://www.sustainweb.org/resources/files/press_releases/Children_Packaging_Report.pdf

⁴ <https://www.nhs.uk/live-well/eat-well/how-does-sugar-in-our-diet-affect-our-health/>

⁵ https://www.diabetes.org.uk/about_us/news/consistent-food-labelling-for-all

⁶ <https://www.cochrane.org/news/new-cochrane-review-evidence-suggests-nutritional-labelling-menus-restaurants-and-cafes-may>

- Modelling based on the Nutrient Profile Model and key categories where biggest change is needed

Policy Proposal Development

- Mandatory standards to ensure all foods aimed at children aged 0-5 years are consistent with scientific advice.
- Ensuring regulations are not open to legal challenge on matters of intellectual property and trade-restrictions, and are aligned with WHO guidance, key markets especially the EU, and imports into the UK from other countries.
- Clear marketing and labelling guidance provided to food and drink manufacturers, retailers and out of home industry
- A mechanism established for complaints and investigating and issuing sanctions to companies in breach of regulations.

Although our own submission is focussed on health, there is potential for an honest packaging review to explore other misleading food & drink claims, such as the Real Bread Honest Labelling Campaign⁷ and 'fake farms' as suggested by Food Ethics Council's recent Food Policy on Trial process⁸.

Taking this idea forward

Sustain and Children's Food Campaign would be interested to invite NFS team to explore the packaging agenda with our stakeholder members and other partners who have expressed interest in different elements of this agenda – we would be happy to collaborate with others such as Food Ethics Council, First Steps Nutrition, Living Loud, Action on Sugar & Salt, Diabetes UK, Food Active, RSPH, Obesity Health Alliance, University of Liverpool who have expressed interest in different aspects of this agenda, as well as engage relevant government bodies, regulators or industry forums. We would be interested to support further engagement or surveys with parents – we have over 600 members of our own Parents' Jury and could invite other relevant partners such as NetMums into the conversation.

To further discuss ideas in this submission, please contact Barbara Crowther
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⁷ https://www.sustainweb.org/realbread/bread_labelling/

⁸ <https://www.foodethicscouncil.org/resource/food-policy-on-trial-in-the-dock-plain-packaging-on-junk-food-drink-jury-verdict>