



# The Association of Directors of Public Health Consultation Response

## Applying the new NPM to advertising and promotions restrictions

### Objectives and Scope

The Government is [seeking views](#) on applying the new NPM to the existing advertising and promotions restrictions to protect children from the harms of 'less healthy' food and drink marketing and reduce inequalities in children's health. They are also consulting on timescales for implementing this change to allow businesses to adapt to any changes.

### About ADPH

ADPH is the representative body for Directors of Public Health (DsPH), and is a collaborative organisation, working in partnership with others to strengthen the voice for public health, with a heritage which dates back over 160 years. We also work closely with a range of Government departments, including [DHSC](#) and [UKHSA](#), as well as the four CMOs, NHS, devolved administrations, local authorities and national [organisations](#) across all sectors to minimise the use of resources as well as maximise our voice.

ADPH aims to improve and protect the health of the population by:

- Representing the views of DsPH on public health policy.
- Advising on public health policy and legislation at a local, regional, national and international level.
- Providing a support network for DsPH to share ideas and good practice.
- Identifying and providing professional development opportunities for DsPH.

### ADPH response

#### Applying the new NPM to the existing restrictions

The advertising and promotions restrictions are designed to reduce children's exposure to 'less healthy' food or drink products. The restrictions are currently underpinned by the UK Nutrient Profile Model (NPM) 2004 to 2005. The Government is proposing to apply the NPM 2018 (the new NPM) to the advertising and promotions restrictions to bring them in line with the latest dietary recommendations. This would bring into scope more food and drink products that are high in free sugars.

- 1. Do you agree or disagree that applying the new NPM to the advertising and promotions restrictions will improve population health?**
  - Agree
  - Neither agree nor disagree

- Disagree
- Don't know

**Please provide any specific information or evidence to support your answer. (Optional, maximum 300 words)**

- The level of evidence indicating that a high intake of free sugars is detrimental to several health outcomes, including tooth decay and weight gain, has strengthened.<sup>i,ii</sup> This was reflected in 2015 in a change to the Scientific Advisory Committee on Nutrition (SACN) recommendations on free sugar intake that it should be halved from 10% to 5% of our total energy intake.
- Current consumption of free sugars among children remains substantially above recommended levels, with average intakes exceeding the SACN recommendation by more than twofold. This highlights the need for effective measures to reduce children's exposure to products high in free sugars.
- Applying the updated NPM to advertising and promotional restrictions would support the reformulation and promotion of products with lower sugar content and higher fibre content. This would help create a healthier food environment, encourage healthier dietary choices, and contribute to improved population health outcomes, particularly among children and young people.
- There is also evidence of consumption of foods with a higher NPM score, and poorer health outcomes across a variety of indicators such as cancer and cardiovascular mortality.<sup>iii, iv, v, vi, vii</sup>
- A study on [recent Government restrictions on promotions on HFSS foods](#) estimates that two million fewer in-scope HFSS products were sold per day after the new law took effect, demonstrating the efficacy of these types of policies.<sup>viii</sup> A report by Nesta explains where these food and drink advertising policies need to be strengthened such as closing loopholes and extending to outdoor advertising.<sup>ix</sup>

**2. 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
- Neither agree nor disagree
- Disagree
- Don't know

**Please provide any specific information or evidence to support your answer. (Optional, maximum 300 words)**

- Categories in scope of the current marketing regulations capture most products which can be linked to childhood obesity, such as sugary soft drinks, cakes, confectionery, and desserts. However, there are some that remain out of scope but may contain products that contribute to childhood obesity, for example sweet spreads, fruit juices and smoothies, pastry products, and milk-based sugary drinks.<sup>x</sup>
- We would therefore recommend expanding the policy beyond the current categories to all foods, to ensure all possible contributing products to childhood obesity are accounted for.
- This would be in line with the evidence for the association between the consumption of a diet of lower nutritional quality, categorised using the original NPM, and weight gain.<sup>xi</sup>

## Timescale for applying the new NPM

Subject to the consultation outcome, we would introduce an implementation period to allow businesses to adapt to any changes.

**3. Do you agree or disagree that 12 months is a sufficient implementation period for businesses in scope of the advertising and promotions restrictions and enforcement authorities to adapt to the new NPM being applied? (Optional)**

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

- The published technical guidance does not significantly differ from the version consulted on in 2018, and industry have been aware of the proposed changes, and the potential of replacing total sugars with free sugars for a long period of time.

## Additional information you would like to submit

**4. If applicable, you can raise any further matters about this consultation (Optional, maximum 300 words)**

In supporting this policy, we also ask that the following is considered by Government (further detail in additional documents):

- Make healthy food more affordable and accessible.
- Strengthen current advertising legislation eg to remove loopholes for exemptions for adverts for food and drink brands.
- Strengthen the [Food \(Promotion and Placement\) \(England\) Regulations 2021](#) to remove loopholes.
- Consult without delay on the mandatory reporting targets as outlined in the Government's Healthy Food Standard proposals.
- Restrict sponsorship by HFSS brands, particularly for sports and leisure activities.
- Mandatory calorie labelling in the out of home sector.
- Mandatory reformulation targets to reduce the HFSS content of foods.
- Raise nutritional standards in schools.
- Extend free school meals to all children.
- Increase public health funding as DsPH play a key role across the system in tackling obesity.

### Commercial influence

- There is case study evidence relating to the food industry<sup>xii, xiii, xiv</sup> having detrimental impacts on public health research and policy progress.<sup>xv, xvi</sup>
- Policymakers must be mindful of the undue influence of commercial actors may exert, whilst still working with the sector to ensure the policy will work in practice.

We will also submit a document with further detail on the importance of this policy (see appendix A).

## Appendix A: Supporting documentation

The following information relates to the first and last questions.

### The scale of the problem

- The UK has the fourth highest level of people living with obesity in Europe and one in five primary school children have obesity.<sup>xvii</sup>
- Only 10-20% of our health and wellbeing is determined by access to traditional health services. The rest of our health is shaped by economic, social, environmental, and commercial influences.
- We know that marketing influences dietary choices. Promotional strategies including multi-buy offers and discounts can increase the affordability and purchase of HFSS products, while prominent placement – such as at checkouts, aisle ends and eye-level shelving – impacts behaviour.
- In particular, there is compelling evidence that the marketing of high fat, salt and sugar (HFSS) food to children influences purchasing and consumption of these products.<sup>xviii</sup> It is particularly important to protect children and young people from marketing tactics, because our food preferences are formed at an early age.

### The need for a whole-system approach

- Obesity cannot be addressed at an individual level. We are encouraged by this proposal as it contributes to a whole system, place-based approach to reduce obesity rates in the whole population.
- A whole system approach will support healthier choices through creating a better local environment (eg improving accessibility of healthier food and protecting people from detrimental commercial influences); preventative population-level approaches (eg providing healthy school meals); secondary prevention services (eg weight management services); and targeted, community asset-based approaches.

### Wider implications of implementing this policy

- Policies that tackle obesity are crucial for the economy as well as population health. Obesity is estimated to cost the UK £126bn annually, which accounts for NHS care, years spent in ill-health, and subsequent damage to the economy.<sup>xix</sup> The Office for Budget Responsibility has stated that ill-health is one of the largest fiscal risks for the economy in the UK.<sup>xx</sup>
- There is also strong public support for industry-focused regulations. A 2023 study showed almost 70% of people felt public health policy should be protected from unhealthy food and drink industry influence.<sup>vii</sup>

### Other policy changes that could support this work

- In supporting this policy, we also ask that the following is considered by Government to ensure the benefits are realised:
  - Make healthy food more affordable and accessible - obesity is underpinned by health inequalities - the prevalence of obesity in the most deprived areas of England almost twice of that in the least deprived areas (37% vs. 20%).
  - Strengthen current advertising legislation eg to remove loopholes for exemptions for adverts for food and drink brands (as opposed to specific products) and ranges of products and include outdoor advertising.<sup>xxi</sup>

- Strengthen the [Food \(Promotion and Placement\) \(England\) Regulations 2021](#) to remove loopholes that enable retailers to circumvent the regulations. For example, explicitly ban the display of HFSS advertisements on digital screens, in-store televisions, or free-standing units located at restricted touchpoints like end-of-aisles and checkouts.<sup>xxii</sup>
- Consult without delay on the mandatory reporting targets as outlined in the Government's Healthy Food Standard proposals.
- Restrict sponsorship by HFSS brands, particularly for sports and leisure activities.
- Mandatory calorie labelling in the out of home sector to help people make more informed choices about food eaten in pubs/cafés/from takeaways.
- Make reformulation targets to reduce the HFSS content of foods and drinks mandatory.
- Raise nutritional standards in schools (we welcome the new consultation on food school standards).
- Extend free school meals to all children.
- Place health and wellbeing at the centre of spatial planning and housing policies to support the creation of healthier environments eg by restricting fast-food outlets, ensuring there is adequate access to open green spaces, and promoting active travel.
- Develop policies on nutrition and obesity that avoid creating and reinforcing stigma which indirectly contribute to appearance-based bullying.

#### **Increased public health funding**

- DsPH play a key role across the system in tackling obesity from creating healthier environments to commissioning weight management services.
- To support this role funding for public health teams is critical. In England, LAs' public health funding has been cut by around a quarter (in real terms on a per person basis) over the last decade. Despite a welcome increase in the last two years, the grant is still not comparable to 2015/16 levels.

#### **Commercial influence**

- It is well established that commercial actors can seek to influence science to obscure the harmful effects of their products and practices and create confusion about the interventions and policies needed to address them.
- Such efforts aim to prevent, dilute or delay regulation, by playing down the scale of the harms and thus the need for Government action, emphasising individual responsibility for harms, and promoting ineffective policy alternatives such as self-regulation.<sup>xix, xx, xxi, xxii</sup>
- There is case study evidence relating to the food industry<sup>xxiii, xxiv, xxv</sup> having detrimental impacts on public health research and policy progress.<sup>xxvi, xxvii</sup>
- Policymakers must be mindful of the undue influence of commercial actors may exert, whilst still working with the sector to ensure the policy will work in practice.

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<sup>i</sup> Scientific Advisory Committee on Nutrition. Carbohydrates and Health. 2015. Last accessed: May 2026. Available from:

[https://assets.publishing.service.gov.uk/media/5a7f7cc3ed915d74e622ac2a/SACN\\_Carbohydrates\\_and\\_Health.pdf](https://assets.publishing.service.gov.uk/media/5a7f7cc3ed915d74e622ac2a/SACN_Carbohydrates_and_Health.pdf)

<sup>ii</sup> Cheever, V. J., Mohajeri, A., Patel, K., Burris, R. C., & Hung, M. 2025. Impact of Free Sugar Consumption on Dental Caries: A Cross-Sectional Analysis of Children in the United States. *Dentistry journal*, 13(2), 48. <https://doi.org/10.3390/dj13020048>

<sup>iii</sup> Deschasaux M, Huybrechts I, Julia C, Hercberg S, Egnell M, Srouf B, et al. Association between nutritional profiles of foods underlying Nutri-Score front-of-pack labels and mortality: EPIC cohort study in 10 European countries. *BMJ*. 2020;m3173. Last accessed: May 2026. Available from: <https://pubmed.ncbi.nlm.nih.gov/32938660/>

<sup>iv</sup> Jacobs A and Jessri M. Canadian Dietary Intakes Assessed by Nutrient Profiling Models and Association with Mortality and Cardiovascular Disease. Cahill N, editor. *Canadian Journal of Dietetic Practice and Research*. 2024;85(4):410–7. Last accessed: May 2026. Available from: <https://dcjournal.ca/doi/10.3148/cjdpr-2024-017>

<sup>v</sup> Gómez-Donoso C, Martínez-González MÁ, Perez-Cornago A, Sayón-Orea C, Martínez JA, Bes-Rastrollo M. Association between the nutrient profile system underpinning the Nutri-Score front-of-pack nutrition label and mortality in the SUN project: A prospective cohort study. *Clinical Nutrition*. 2021;40(3):1085–94. Last accessed: May 2026. Available from:

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<sup>vi</sup> Deschasaux M, Huybrechts I, Murphy N, Julia C, Hercberg S, Srouf B, et al. Nutritional quality of food as represented by the FSAm-NPS nutrient profiling system underlying the Nutri-Score label and cancer risk in Europe: Results from the EPIC prospective cohort study. *PLOS Medicine*. 2018;15(9):e1002651. Last accessed: May 2026. Available from: <https://pubmed.ncbi.nlm.nih.gov/30226842/>

<sup>vii</sup> Deschasaux-Tanguy M, Huybrechts I, Julia C, Hercberg S, Sarda B, Fialon M, et al. Nutritional quality of diet characterized by the Nutri-Score profiling system and cardiovascular disease risk: a prospective study in 7 European countries. *The Lancet Regional Health - Europe*. 2024;46:101006. Last accessed: May 2026. Available from: [https://www.thelancet.com/journals/lanepi/article/PIIS2666-7762\(24\)00173-X/fulltext](https://www.thelancet.com/journals/lanepi/article/PIIS2666-7762(24)00173-X/fulltext)

<sup>viii</sup> University of Leeds. Positive impact of supermarket junk food restrictions revealed. 2025. Last accessed: May 2026. Available from: <https://www.leeds.ac.uk/research-32/news/article/5839/positive-impact-of-supermarket-junk-food-restrictions-revealed>

<sup>ix</sup> Nesta. Mind the gaps: why restrictions on less healthy food and drink advertising fall short. 2026. Last accessed: May 2026. Available from: <https://www.nesta.org.uk/report/mind-the-gaps-food-advertising/>

<sup>x</sup> Obesity Health Alliance. Briefing: The 2018 Nutrient Profiling Model. 2026. Last accessed: May 2026. Available from: <https://obesityhealthalliance.org.uk/wp-content/uploads/2026/03/New-Nutrient-Profile-Model-Briefing.pdf>

<sup>xi</sup> Egnell M, Seconda L, Neal B, Mhurchu CN, Rayner M, Jones A, et al. Prospective associations of the original Food Standards Agency nutrient profiling system and three variants with weight gain, overweight and obesity risk: results from the French NutriNet-Santé cohort. *British Journal of Nutrition*. 2020;125(8):902–14. Last accessed: May 2026. Available from:

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<sup>xii</sup> Fabbri A, Holland T, and Bero L. Food industry sponsorship of academic research: investigating commercial bias in the research agenda. *Public Health Nutrition*. 2018;21(18):3422–3430. Last accessed: May 2026. Available from: <https://pubmed.ncbi.nlm.nih.gov/30157979/>

<sup>xiii</sup> Glenna L and Bruce A. Suborning science for profit: Monsanto, glyphosate, and private science research misconduct. *Research Policy*. 2021;50(7):104290. Last accessed: May 2026. Available from: <https://pure.psu.edu/en/publications/suborning-science-for-profit-monsanto-glyphosate-and-private-scie/>

<sup>xiv</sup> Steele S, Ruskin G, Stuckler D. Pushing partnerships: corporate influence on research and policy via the International Life Sciences Institute. *Public Health Nutrition*. 2020;23(11):2032–2040. Last accessed: May 2026. Available from: <https://pubmed.ncbi.nlm.nih.gov/32416734/>

<sup>xv</sup> Legg T, Hatchard J, and Gilmore A. The Science for Profit Model—How and why corporations influence science and the use of science in policy and practice. *PLOS ONE*. 2021;16(6):e0253272. Last accessed: May 2026. Available from: <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0253272>

<sup>xvi</sup> Goldberg R and Vandenberg L. The science of spin: targeted strategies to manufacture doubt with detrimental effects on environmental and public health. *Environmental Health*. 2021;20(1). Last accessed: May 2026. Available from: <https://link.springer.com/article/10.1186/s12940-021-00723-0>

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- <sup>xix</sup> The Guardian. UK’s obesity and overweight epidemic costs £126bn a year, study suggests. 2025. Last accessed: May 2026. Available from: <https://www.theguardian.com/society/2025/jul/02/obesity-overweight-cost-estimate-nhs-study>
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- <sup>xxi</sup> See Byatt, Lauren. What is the government’s new healthy food standard, and how does it work? Available from: <http://nesta.org.uk/project-updates/what-is-the-governments-new-healthy-food-standard-and-how-does-it-work/> for more information.
- <sup>xxii</sup> See: Food Active. Blog: Two years of taking less healthy food out of the spotlight at checkouts, store entrances and end of aisles. Available from: <https://foodactive.org.uk/blog-two-years-of-taking-less-healthy-food-out-of-the-spotlight-at-checkouts-store-entrances-and-end-of-aisles/>
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