

## **Annex B**

### **City of York Council**

### **High Fat, Salt or Sugar Advertising Guidance**

This guidance is an addition to the City of York Council's Advertising Policy and should be read and applied alongside that policy. It details guidance relating to restrictions of High Fat, Salt or Sugar (HFSS) products and requirements for advertising approvals.

Find guidance about:

1. The general principles:
  - a. The **UK Nutrient Profiling Model** (NPM) was developed by the **Food Standards Agency**, which was subsequently exposed to rigorous scientific scrutiny and extensive consultation, with ongoing technical support being provided by the **Department of Health and Social Care**. The model uses a scoring system, balancing the contribution made by beneficial nutrients that are particularly important in children's diets with components in the food that children should eat less of. It has therefore been concluded that the NPM model is the best way of identifying food that contributes to child obesity. Such food and drink is not only purchased directly by children but is bought for them by others.
  - b. Read guidance on how to identify whether a product is considered HFSS under the **UK Nutrient Profiling Model**.
  - c. The outcome of any reviews or revisions of the NPM will be taken into consideration in applying our policy.
  - d. City of York Council or its representatives may request evidence of nutrition information of food and drink products advertised, and in line with the **Food Standards Agency** recommendations, City of York Council expects any laboratory used for nutrition analysis to have ISO 17025 accreditation and this should be by the **United Kingdom Accreditation Service** (UKAS).
2. Exceptions:
  - a. There are no exceptions to the policy offered on council-owned advertising sites. City of York Council understands there may be some limited unintended consequences of applying this policy, but has concluded that these consequences do not justify a general exceptions process.

- b. The only circumstance in which an exception will be considered is within the footprint of an event operating on council-owned land, where the application of the policy would make the event unviable or logistically unfeasible to run; for example, directional signage to stalls at a food and drink festival.
3. Content featuring only non-HFSS products:
  - a. These would normally be approved but would still need to comply with other sections of the City of York Council's Advertising Policy.
4. Content featuring only HFSS products:
  - a. Where proposed content features only food and/or drink which is rated HFSS, such copy would be rejected, unless a practical exception has been agreed by the council as per **paragraph 2.b.**
  - b. It's therefore recommended that, before committing to advertising production agreements, advertisers should discuss their eligibility with the council or its agents.
5. Content where there is a range of food and drink featured, some of which is HFS:
  - a. The advertising or promotion of HFSS products is unacceptable under the policy, so a range or meal could not feature them (for example, fish, chips and peas could only be advertised if all products were non-HFSS). This would also apply to any meal settings being shown, including those for restaurants, aggregator platforms and delivery services.
  - b. It's the responsibility of advertisers and/or sponsors and their agents to verify the status of the products featured using the NPM.
6. Content where no food or drink is featured directly but the advertisement is from or features a food and drink brand:
  - a. This may include:
    - i. advertisements where the brand's logo is included but no products, such as a brand values campaign
    - ii. directional signage to a store, app or website
    - iii. promotional advertising which is price-led but features no products such as '50% off everything' or similar
    - iv. advertising about a business or its performance

- v. content such as slides delivered by a sponsor at an event sponsored by a food or drink brand
  - b. Food and drink brands (including food and drink service companies or ordering services) will only be able to place such advertisements if the advertisement promotes healthier options (for example, non-HFSS products) as the basis of the copy.
  - c. Where advertisers and sponsors are uncertain about the classification of proposed copy under these guidelines, they should discuss this with the council or its agents.
- 7. Advertisements or other content where food and drink is shown 'incidentally' for example, it's not the subject of the advertisement but is included (or implied) by visual or copy:
  - a. HFSS products should not be promoted by being featured in advertisements for other products. It's the responsibility of advertisers and their agents to verify the HFSS status of the products featured using the NPM.
  - b. Where a food or drink item is featured incidentally and does not relate to a specific identifiable product which can be assessed for its HFSS status, advertising copy may be rejected by the council or its agents on the basis that the advertisement promotes the consumption of HFSS foods.
- 8. Advertisements or other content where food and drink is referenced in text, through graphical representations or other visual representation:
  - a. HFSS products should not be promoted through references in text, graphical images or other visual representations of food and drink. Where a food or drink item is featured in this way and does not relate to a specific identifiable product which can be assessed for its HFSS status, copy may be rejected by the council or its agents on the basis that it promotes the consumption of HFSS foods.
- 9. Indirect promotion of HFSS food and drink:
  - a. Where a product is non-HFSS but falls within a category covered by Public Health England's (PHE) recommendations for sugar or calorie reduction, the product should always carry a prominent product descriptor to help differentiate it from noncompliant products (for example, where an advertisement features a non-HFSS pizza or burger, the

image should be accompanied by prominent text that names the specific product and retailer).

- b. Children should not usually be shown in advertisements for products which are compliant in a category which is covered by PHE's recommendations for sugar or calorie reduction.

10. Portion sizes:

- a. The NPM model is based on nutrients per 100g of a product, rather than recommended portion size. Advertisers should always ensure that they promote products in portion sizes which encourage healthy eating. For products that are non-HFSS but fall within a category covered by PHE's recommendations for sugar or calorie reduction, the product should be displayed as a single portion, unless agreed otherwise by the council or its agents.
- b. If advertisers, sponsors and agencies are unsure about how to interpret this, or any other aspect of these guidelines, they are encouraged to get in touch with the council or its agents and work together on a solution to avoid submitted copy requiring changes or being rejected.