

Theme 1: Healthier Shopping Baskets - Making the Healthy Choice the Easy Choice

Q1. Should we introduce legislation to restrict the following types of promotion of High Fat, Salt or Sugar products?

- temporary price reductions
- multi-buy offers
- volume offers

Yes.

The Royal College of Physicians of Edinburgh (RCPE) agrees with the Welsh Government that obesity is a major and increasing public health challenge that requires to be tackled on a cross-portfolio basis. The College notes with real concern that the Welsh Government's integrated impact assessment states that "*Obesity is on track to shortly overtake smoking as the biggest cause of preventable premature death.*" We consider that all aspects of the obesogenic environment need to be considered, including access to foods high in fat, salt and/or sugar and the relative cost of these products.

The RCPE supports the restriction of the promotion of foods high in fat, salt and/or sugar as these foods contribute so much to obesity levels and other negative health impacts including development of diabetes and hypertension.

In addition to restricting the promotion of unhealthy food, the RCPE would wish to see significant emphasis given to the positive facilitation of promotions of healthy food product choices, both unprocessed foods (eg. fruit and vegetables) and healthier processed foods. The RCPE looks to the Welsh Government to work constructively with retail and other industry and relevant stakeholders to put in place support for the promotion of healthier foods.

Q2. Should we introduce legislation to restrict the placement of HFSS products in the following retail areas?

- store entrance



- at the till
- end of aisle
- free standing display units

Yes.

The RCPE considers that the placement of foods high in fat, salt and/or sugar relative to other foods for sale should be addressed through legislation so that unhealthier foods are not prioritised in terms of strategic placement by retailers.

Again, we would want to see the Welsh Government work with stakeholders to ensure healthier foods can benefit from better and more prominent placement in retail settings. We would like to see it become standard practice for healthier food products to be displayed in prime placement locations, with the retail sector incentivised to do this.

Q3. How should we determine which categories of food should be caught by proposal 1 and 2 restrictions?

Option A – Products high in fat, sugar or salt which are of most concern to childhood obesity

Option B – All Products high in fat, sugar or salt

[both options to restrict the promotion of HFSS products captured by the Sugar Reduction Programme, Calorie Reduction Programme and Soft Drink Industry Levy based on the Nutrient Profiling Model]

Please explain

Option B. Given both childhood and adult obesity levels in Wales are of such concern, it is important that all products high in fat, sugar and/or salt are captured by any restriction proposals so the scope of the policy is as comprehensive as possible, covering the maximum number of unhealthier foods.

Q4. Should restrictions for both proposal 1- value promotions and proposal 2- location promotions cover online purchasing?

Yes.

In order to make the proposals comprehensive and cover as many retail settings as possible it is important that they apply equally to online purchasing. With more food being purchased online and this trend likely to continue, it is vital that foods high in fat, sugar and/or salt cannot be promoted online if these promotions are not allowed in equivalent physical retail settings.



Q5. Should the following exemptions apply for value promotion restrictions (proposal 1)?

- micro and small businesses (unless they are part of a symbol group with 50+ employees)
- close to use-by-date price reductions
- non-pre-packed products
- other

In relation to micro and small businesses, the RCPE notes that the Welsh Government's detailed proposals would exempt these businesses from value promotion restrictions. While our preference would be for the number of physical retailers covered by these proposals to be as extensive and wide ranging as possible to ensure equity, if micro and small retailers are exempted we would wish to see the Welsh Government commit to a specific piece of work looking at how it can support smaller retailers to reduce the number of value promotions on foods high in fat, salt and sugar and increase the number of promotions on healthier foods.

Q6. Should the following exemptions apply for location promotion restrictions (proposal 2)?

- micro and small businesses (unless they are part of a symbol group with 50+ employees)
- stores that are smaller than 185.8 square metres (2,000 square feet) (even if they employ more than 50 employees or are part of a symbol group which does)
- specialist retailers that sell one type of food product category, for example, chocolatiers or sweet shops
- other

Again our preference would be for the number of physical retailers covered by these proposals to be as extensive as possible, although we accept that they could not be reasonably applied in the specialist retail sector and that they are more challenging in smaller retail locations. If micro and small retailers are exempted, as above, we would wish to see the Welsh Government look at supporting smaller retailers to reduce the number of location promotions on foods high in fat, salt and/or sugar and increase the number of location promotions on healthier foods.



Theme 2: Healthier Eating Out of the Home – Understanding how it contributes to your weight

Q7. Should we mandate calorie labelling in all out of home settings regardless of the size of business?

Yes.

It is vital that the public can make positive, informed choices about food. Improved, informative labelling is important so that the consumer is aware of how many calories and adverse food sources are in out of home foods, just as they are with most foods purchased for consumption in the home. Public empowerment is a key outcome to successfully tackle the obesity epidemic.

Micro-businesses in Wales should be supported appropriately to implement these requirements and offered additional implementation periods. There must also be a focus on incentives for small businesses to “buy into” these initiatives, with positive marketing identifying the benefits they might gain rather than wholly negative instruments.

Q8. Should energy labelling be limited to calories (Kcals)?

Yes.

Any food labelling must be straightforward and while historically in the UK, kilojoules are displayed alongside calories, the general public in the UK do not use kilojoules to measure the energy content of food. Calories are the main unit of measurement and unless there is a significant movement to change to the metric measurement of energy (kilojoules) then they remain a little understood and confusing measurement among the public in the UK.

Q9. Should menus marketed specifically at children be exempt from calorie labelling?

No.

Parents, guardians and children themselves should be entitled to access calorie information wherever possible. Childhood obesity is a significant issue and calorie labelling may play a positive part in helping to address this. The earlier one is exposed to this information the earlier more informed choices can be made and behaviour changed.

Q10. Should we mandate businesses to make menus without calorie labelling available at request?

Yes.

The RCPE recognises that having menus with calories labelled may be challenging for those with, or recovering from, an eating disorder and therefore believes that individuals should be able to ask for menus without calorie information. While the RCPE supports the Welsh Government in developing all appropriate measures aimed at reducing levels of obesity it also urges it to ensure that any legislation is mindful of and balanced with the needs of those with eating disorders. The RCPE would encourage the Welsh Government to work closely with relevant stakeholders, including eating disorder charities, to consider other mitigation measures and to provide as much support as possible towards implementing appropriate mitigation measures.

Q11. Should the requirement to display calorie labelling extend to online sales?

Yes. Again, we consider that the scope of the policy should be as comprehensive as possible and that consumers buying these products online should also be able to access calorie information on these.

Q12. Should we prohibit free refills of sugary soft drinks in the out of home sector?

Yes.

Sugary soft drinks can contain significant calories and we would wish to see positive work done to support the promotion of healthier drinks in the out of home sector.

Q13. Should we restrict larger portion sizes of sugary soft drinks in the out of home sector?

Yes, due to the significant calories found in many sugary soft drinks.

If yes, do you think this should be limited to 1 pint (0.57 litres)?

Yes, this would seem reasonable.

Q14. Should the following settings be excluded from both the calorie labelling and soft drink restriction requirements?

- schools and colleges
- early years and childcare settings
- hospital in-patients
- care homes and settings
- charity sales
- other

Ideally we would like to see consumers in all of these settings able to access information on the calories in their food but we understand that there may be some additional challenges to achieving this and the timescales involved in some of these settings may require to be longer than in others. Specific consideration should be given to the possible impact in these settings of people suffering with or recovering from eating disorders.

Q15. Should small and medium out of home businesses be covered by both the calorie labelling and soft drink restriction requirements?

Yes. Support should be given to small and medium out of home businesses to ensure they are able to comply with these regulations and consideration could be given to extended timescales for these businesses.

Q16. Should the following products be exempt from the calorie labelling requirement?

- menu items for sale for 30 days or less items prepacked off premises (which already displayed nutrition information)
- condiments added by the customer
- loose fruit or vegetables
- other

No (with the exception of foods prepacked off premises which obviously already are required to have nutrition information.)

As we have suggested in response to earlier answers, where possible the consumer should be able to access calorie information on as many products as possible.

Theme 3: Healthier Local Food Environments – Shifting the Balance

Q17. What support and measures could we put in place to help improve the availability of healthier options within local areas?

The RCPE welcomes the Welsh Government's support for healthy food environments and recognition of the need to increase access to the availability of healthy foods. We agree that utilising planning and licencing policies can help achieve these.

Specifically, we are pleased to see recognition of the need for positive engagement with the restaurant and takeaway sectors over support and promotion of healthier meal options. We would welcome the expansion of schemes like the Healthier Catering Award scheme.

Public sector procurement is a very important area and has the potential to play a significant part, for example in improving the diet of some schoolchildren. We would like to see a new review of public sector food procurement, building on improvements already achieved, with a view to further minimising the presence of food and drinks high in fat, salt and sugar on school menus and more broadly across the public sector.

Q18. Should we review existing planning and licensing support, including guidance, to address the distribution of Hot Food Takeaways, particularly close to secondary schools and colleges?

Yes. The RCPE would welcome a review of the distribution of Hot Food Takeaways, especially those close to secondary schools and colleges. We believe local authorities should be empowered to be able to take specific action where local concerns exist, for example where there is a saturation of HFTs selling only unhealthy options.

Again, we would support HFTs being given assistance with developing healthy food choice options and with the promotion of meals (and drinks) low in fat, salt and sugar.



Respondent information

Q19. Are you responding as an individual, or on behalf of an organisation or business? (select only one option)

- Individual
- **On behalf of an organisation (The Royal College of Physicians of Edinburgh.)**
- On behalf of a business
- Other, please specific

Q20. If answering on behalf of a business, what is the size of the business? (select only one option)

- Micro business (0-9 employees)
- Small business (10 – 49 employees)
- Medium business (50 – 249 employees)
- Large business (250 employees or more)
- Don't know



Other potential measures and wider impacts

Q.21 Please provide details of other options you feel could help drive positive change in the food environment, and support people in Wales to make healthier choices.

Are there any other matters you would like to raise?

In food labelling we consider that more emphasis could be given to the protein content, as this is particularly important for satiety and for children's growth and health.

Some of our Fellows have suggested that particularly for "treat" foods, there could be posters in the aisles in shops or labelling on packaging to illustrate, for example, one chocolate bar = however many minutes of walking/running etc to burn off the calories. This is again offering consumers more information and enabling them to make educated choices about food.

The College hopes that the Welsh Government will commit to assessing and reviewing the effectiveness of the mandatory calorie labelling policy in practice to help build the evidence base on this policy and ensure that it enjoys as much stakeholder support as possible.

More widely, while mandatory calorie labelling is to be welcomed as one specific tool that may help reduce calorie intake, we will continue to reemphasise that significant cross-portfolio cooperation is required to enable the fundamental societal changes that could lead to the normalisation of healthy weight and physical activity.

The RCPE understands that the proposals for new food product information focus specifically on calorie content of products in the out of home sector but we would urge the Welsh Government to consider whether consumers would benefit even more from being able to access information on the salt and sugar and possibly other nutrient content of these products also.

The College is keen to change the perception from "going on a diet" to making a sustainable lifestyle change in the long term. Psychological issues leading to eating problems and difficult relationships with food need to be addressed and societal change is needed to make it easy and attractive to be fit and healthy: exercise and activity should be normal and encouraged.

The College has long argued that clinicians need to have time to have conversations with patients about obesity and recognise some clinicians can be uncomfortable about weight conversations, and have limited time to introduce the topic into discussion. College Fellows support medical students being trained more widely in health and wellbeing, and importantly in how to have these more difficult conversations about obesity with their patients as well as treating patients.



The College is committed to working positively with the Welsh Government and key stakeholders as we seek to make more progress in reducing obesity levels in Wales.

Equality Questions

Q22. Do you think the proposals in this consultation document might have an effect on the following?

- Those living in rural areas
- Specific socio-economic groups
- Children and young people
- Equality in relation to;
 - Age
 - Sex
 - Race
 - Religion
 - Sexual orientation
 - Pregnancy and maternity
 - Disability
 - Gender reassignment
 - Marriage/civil partnership

The RCPE recognises that those living with socio-economic disadvantage often have less choice in the Out of Home sector due to financial constraints and availability of choice in more rural areas. We consider that a range of measures should be considered to assist those living with socio-economic disadvantage have access to a wider range of outlets and healthier options, with the incentivisation of local retail providers a key part of this; however we know there is much work to be done.

Q23. We would like to know your views on the effects the consultation would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

The RCPE has no specific comments on this.

Q24. Are there any other groups within society not already referenced you think any of the proposals would have an impact on?

The RCPE has no specific comments on this.

Business Support and Impact

Q25. What support could be provided to help your business prepare for the following proposals;

- promotion restrictions (Theme 1- proposals 1 and 2)
- mandatory display of calories (Theme 2-proposal 3)
- place restrictions of the servings of sugary soft drink (Theme 2- proposal 4)
- limits on hot food takeaways near schools and colleges (Theme 3- proposal 6)

Please Explain

Q26. We have calculated illustrative transition costs in both impact assessments. Do these calculations reflect a fair assessment of the costs that would be faced by your organisation/business?

Yes/No

If no, please provide any further evidence which could be used to improve our estimates. If you are referring to a specific calculation in one of the IAs, please state which one(s).

Q27. Do you have any further evidence or data you wish to submit for us to consider for our final impact assessment or any specific comments on the methodology or assumptions made?

Yes/No.

If yes, please provide further evidence which could be used to improve our estimates. If you are referring to a specific IA question or calculation, please state which one(s).