

High Fat, Sugar & Salt (HFSS) Regulation

Frequently Asked Questions

Q?

Why is the government introducing restrictions on the location of products that are high in fat, sugar and salt (HFSS)?

A

Obesity is one of the biggest health problems this country faces. Two thirds of adults are above a healthy weight, and over a fifth of children in England are overweight or living with obesity by the time they start primary school - and this rises to one third by the time they leave aged 11.

Regularly eating too much food and drink which is high in calories, fat and sugar can lead to weight gain and eventually obesity, which has a massive impact on our health and wellbeing and increases the risk of obesity-related diseases. Eating too much salt can also have adverse effects on our health.

As part of the Government's approach to tackling childhood obesity in the UK, it's looking at the ways in which retailers promote and display HFSS products to children. They believe that by banning the promotion of these products and restricting where they can be located in-store, customers will be able to make more informed choices with less 'pester power' from their children.

Q?

When do the new HFSS regulations come into force?

A

The regulations set by the Department for Health and Social Care (DHSC), which cover location, come into force from 1 October 2022. This is the main regulation which impacts our stores. The regulations set by the Advertising Standards Agency (ASA) come into force on 1 January 2024. These regulations change the way we advertise our products.

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Which categories are impacted by HFSS?









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Below is a summary of the categories impacted. Please note that it's not all products in these categories, but just those that are profiled as HFSS.

Category Details	
	Non-alcoholic soft drinks with added sugar - which are either ready to drink or which, to be made ready to drink, must be processed.
	Crisps and other savoury snacks - including all potato crisps and similar products made from potato, other vegetables, grain or pulses - including extruded, sheeted and pelleted snacks such as pitta bread-based snacks, pretzels, poppadums, prawn crackers, pork scratchings, salted popcorn, and savoury crackers or biscuits which are in individually-portioned bags. This category doesn't include savoury snacks that are nuts, whether raw or to which other food has been added (such as salt).
	Breakfast cereals - including ready-to-eat cereals, granola, muesli, porridge oats and other oat-based cereals.
	Confectionery - including chocolates and sweets.

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Frequently Asked Questions

	Ice cream, Ice lollies, frozen yogurt, water ices and similar frozen products.
	Cakes (including cupcakes).
	Sweet biscuits.
	Morning goods - including croissants, pains au chocolat and similar pastries, crumpets, pancakes, buns, teacakes, scones, waffles, Danish pastries and fruit loaves.
	Desserts and puddings - including pies, tarts and flans, cheesecake, gateaux, dairy desserts, sponge puddings, rice pudding, crumbles, fruit fillings, powdered desserts, custards, jellies and meringues.
	Yoghurt.
	Pizza (except plain pizza bases).
	Potato products - including Roast potatoes, potato and sweet potato chips, fries and wedges, potato waffles, novelty potato shapes (such as smiley faces), hash browns, rostis, crispy potato slices, potato croquettes.

High Fat, Sugar & Salt (HFSS) Regulation

Frequently Asked Questions

	Products that are marketed as a meal that is ready for cooking or reheating without requiring further preparation and which include a carbohydrate accompaniment.
	Products that are marketed as a meal that is ready for cooking or reheating without requiring further preparation and which do not include a carbohydrate accompaniment - such as prepared fish, shellfish, meat, poultry and meat alternative products in a sauce, but not including fish, shellfish, meat, poultry and meat alternatives (either served plain or) in a marinade, glaze, dressing, seasoning or similar accompaniment.
	Breaded or battered fish, shellfish, meat, poultry and meat alternative products including fish fingers, fish cakes, chicken nuggets and breaded Quorn.

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Q?

How is it determined whether a product is HFSS compliant or not?

A

The Nutrient Profiling Model, developed by the Food Standards Agency, determines whether a product is HFSS compliant or not. It uses a scoring system that balances the contribution made by beneficial nutrients with components that are less beneficial. In other words, a product receives points for the number of healthy components along with points for the number of unhealthy components. The healthy points are then deducted from the unhealthy points to produce a score.

Foods scoring 4 or more points, and drinks scoring 1 or more points, are classed as less-healthy and will therefore be impacted by the regulations.

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How is compliance to HFSS regulation going to be enforced/monitored?

A

Local authorities will be responsible for enforcing the policy. Non-compliant stores will be subject to an improvement notice. Failure to comply with an improvement notice will be an offence and is liable to a fixed monetary penalty of £2,500, reduced to £1,250 if paid within 28 days.