

## Response ID ANON-BCD3-K9G6-W

Submitted to **Restricting promotions of products high in fat, sugar and salt by location and by price**  
Submitted on 2019-04-05 09:49:20

### Introduction

#### 1 What is your name?

**Name:**

Tom Embury

#### 2 What is your email address?

**Email:**

t.embury@bda.uk.com

#### 3 Are you responding as an individual, on behalf of an organisation or as a business?

Organisation

### Organisation

#### 11 What is the name of your organisation?

**organisation:**

British Dietetic Association

#### 12 Which sector does your organisation work in?

Human health & social work activities

**If other, please state:**

### Businesses and products affected

#### 20 Do you think that the restrictions suggested in this consultation should apply to all retail businesses in England that sell food and drink products, including franchises?

Yes

**Please explain your answer:**

It is important that these restrictions are applied consistently to all organisations, especially given the growing prevalence of franchise models amongst major chains.

Indeed, franchises are placed in or close to NHS premises e.g. within hospitals, and as such what they sell and promote impacts upon health and wellbeing of vulnerable groups but also may contradict the health-promoting efforts of the NHS. Franchises are also likely to appeal to many consumers due to consumer recognition of and loyalty to specific businesses. As such their offers are likely to have a major impact upon consumer behaviours

#### 21 Do you think there are any other retailers that the restrictions suggested in this consultation should apply to?

Yes

**If yes, please explain which retailers you are referring to and why. :**

We would like to see clarification about this so that all businesses which sell foods and drinks (including packaged snacks) even if it is not their main business, are included. It is increasingly common for placement and offers on unhealthy foods and drinks to be made in shops which are not traditional food retailers (e.g. clothes shops such as Topshop, stationers such as WH Smith, garage shops). These are likely to appeal to impulsive buyers.

#### 22 Do you think there are any retailers that the restrictions suggested in this consultation should not apply to?

No

**If yes, please explain which retailers you are referring to and why.:**

In our view it is important that there is parity and a unified approach to help consumers. Regardless of size, all businesses should be included however smaller businesses should be supported to apply the restrictions.

#### 23 Do you think the restrictions should also apply to retailers that do not primarily sell food and drink, for example, clothes retailers and newsagents?

Yes

**Please explain your answer:**

If they do not apply to these retailers, it will potentially give them an unfair advantage as well as sending a mixed message to consumers. A 2018 study conducted by the UK Health Forum and Food Active investigated 330 non-food retail outlets in a range of environments (<http://www.foodactive.org.uk/wp-content/uploads/2019/03/Strand-1-High-Street-Food-Placement-Project-Strand-One-Final-Report-March-20191.pdf>)

Over one quarter of all stores visited sold sweets and chocolate confectionery in store (27.5%). This same survey showed that restricting sale of unhealthy food and drinks in non-food retailers has the potential to reduce consumption. 42% of respondents reported purchasing food or drink while shopping in non-food stores in the last month, the majority of which products (66%) were classified as less healthy

**24 Do you think that the restrictions should also apply to imported products within the specified product categories in scope?**

Yes

**Please explain your answer:**

In our view they should also apply to imported products which meet the scope, otherwise an unfair advantage may be given to imported products and again a mixed message be given to consumers. Given that a significant proportion (approx. 50%) of our food is currently imported from outside the UK this is particularly important. (<https://www.gov.uk/government/publications/food-statistics-pocketbook-2017/food-statistics-in-your-pocket-2017-global-and-uk-supply>)

**25 Do you think that the restrictions should also apply to online shopping?**

Yes

**Please explain your answer:**

Although clearly the location issues are different for online shopping. Price promotions for online shopping should be included and the location issues for online shopping relate more to advertisements and reminders about usual purchases which automatically pop up. Online shopping is popular; 29% of people report doing their grocery shopping online in the past month (<http://www.mintel.com/press-centre/retail-press-centre/online-grocery-clicks-in-the-uk>), and this figure is ever growing. For many people this represent their major shopping experience so attention needs to be paid to this.

**26 If the restrictions applied to online retailers, how could this work in practice?**

**Please explain your answer:**

There are already automated systems in place for online shopping e.g. highlighting to shoppers when they have missed offers or linked purchases, therefore automating restrictions on price promotions should be simple. Product nutrition composition could easily be used by online retailers together with the NPM as part of (i.e. behind the scenes) online product database to sort and display HFSS non HFSS products in certain areas only.

Location online is clearly different from location within a physical space, however, we believe that advertisements on online shops need to be included, be they placement on home pages, sidebar ads, or pop ups. The offers sections of online supermarkets (often the first page a consumer sees) is influential and often used as part of navigation (Benn, Y., Webb, T.L., Chang, B.P.I., Reidy, J., 2015. What information do consumers consider, and how do they look for it, when shopping for groceries online? *Appetite* 89, 265–273. <https://doi.org/10.1016/j.appet.2015.01.025> ).

In addition, there are also other opportunities to better display nutrition (and traffic light information) in online shopping as demonstrated by Stones et al, 2016 (Stones, C., 2016. Online food nutrition labelling in the UK: how consistent are supermarkets in their presentation of nutrition labels online? *Public Health Nutr.* 19, 2175–2184. <https://doi.org/10.1017/S1368980015003110>) and Moore et al 2017 (Moore, S.G., Donnelly, J.K., Jones, S., Cade, J.E., 2017. Awareness and use of nutrition information during online grocery shopping for “healthy” foods: a think aloud qualitative analysis with older adults. *Public Health Research Symposium Abstracts. J. Hum. Nutr. Diet.* 31, 46–51. <https://doi.org/10.1111/jhn.12537>). Restrictions should clearly set out to online retailers which prominent locations are not allowed to feature HFSS foods.

Automated messages reminding shoppers of items missing from their ‘usual’ purchases should also be included. It is not clear how often items need to be chosen to be considered ‘usual’ purchases, but reminders to purchase unhealthy foods and drinks are not helpful and could be considered a type of product placement. Limiting these reminders to healthier items may help to reduce impulse online purchases of unhealthy foods and drinks. These restrictions should apply to ‘suggested’ as well as ‘usual’ item prompts.

**27 Who should be responsible for making sure the price restrictions are followed: the retailer that sells the products or the manufacturer that makes them?**

Retailer

**Please explain your answer:**

Both have a responsibility but ultimately retailers will be responsible for where products appear in their shops and how they are promoted. There needs to be objective external oversight e.g. by Public Health England at a national level, or by Trading Standards locally. Ideally the manufacturers and retailers will work together; the manufacturers to supply the retailer with a range of healthier options, and a reduced number of products with packaging promoting extra portions/buy one get one frees etc. and the retailer to promote healthier rather than less healthy products.

Retailers by law decide the price at which products are sold and how they are promoted and placed within the store. However, manufacturers can exert leverage e.g. through RRP, provision of promotional materials or offering lower priced products for new items External oversight with penalties for non-compliance would take pressure off retailers put under pressure by large manufacturers and ensure that smaller businesses are not disadvantaged

**28 Who should be responsible for making sure the location restrictions are followed: the retailer that sells the products or the manufacturer that makes them?**

Retailer

**Please explain your answer:**

Both have a responsibility to meet the policy and provide evidence that they are doing so but ultimately must lie with retailers. There needs to be objective external oversight e.g. by Public Health England at a national level, or by Trading Standards locally.

Consumers may not realise that the reason a specific product is prominently displayed is because the manufacturer has paid for this prime positioning. External oversight with penalties for non-compliance would take pressure off retailers put under pressure by large manufacturers and ensure that smaller businesses are not disadvantaged.

**Price promotion restrictions**

**29 Which of the following options do you think is the most appropriate for achieving the aims of this policy?**

Option 1

**If you are proposing an alternative option, please explain how your preferred option would better deliver the aims of this policy, how it would be delivered and whether there would be any practical and/or implementation issues that we should be aware of. :**

Option 1 has the greatest clarity. A requirement that a named proportion of volume-based promotions per year are on healthier products is likely to be complicated to manage and oversee in practice.

Under option 2, it would be less clear to customers which products in prominent locations or subject to price promotions are HFSS. This would prevent people making informed choices about healthier options as they may choose a product on promotion, believing it to be healthier, without knowing that it is one of the 20% less healthy products.

Option 1 will also put greater pressure on companies to reformulate their products, further reinforcing PHE's existing reformulation efforts for salt, sugar and overall calories. We have already seen this in other areas, such as the clear bans on broadcast advertising of HFSS products, which drive companies to reformulate so they can advertise.

**30 Do you think that the price restrictions should apply to 'multi-buy' promotions and 'extra free' promotions of pre-packaged products that are high in fat, sugar and salt?**

Yes

**If no, please explain your answer:**

Multibuy and 'extra free' promotions encourage over-consumption by normalising the purchase of more of these products. A review of studies on price promotions found that price promotions lead to increases of purchases of between 12% and 60% in the short term (Hawkes C. Sales promotions and food consumption. Nutrition Reviews 2009. 67(6):333-342) . This may also result in habitual purchasing of these products.

Surveys by Food Active (<http://www.foodactive.org.uk/new-report-purchases-of-price-promotions-on-less-healthy-food-and-drink-in-the-north-west/>) have shown that price promotions drive unplanned purchases of additional less healthy food and drinks. The survey collected data on recent supermarket purchases among 379 people and found less healthy food and drinks dominated the types of purchases made on promotion. The majority (57%) of promotional purchases made were as an unplanned impulse buy.

We believe the restriction should apply to all forms of promotion, including buy one get one free, but X for the price of Y, three for two offers. In addition, X% free offers. We would want to ensure that any such restriction is as comprehensive as possible, with clear language in the regulations in order to ensure retailers are not able to exploit loopholes by phrasing offers in a different way.

**31 Do you currently use or do you know about any official definitions of these types of volume price promotions?**

No

**If yes, please provide them below.:**

As mentioned above, we would like to see a comprehensive and fully described definition that does not allow for loopholes.

**32 Do you think there are any other types of price promotion that should be restricted that we have not mentioned?**

Yes

**If yes, please explain which promotions and why.:**

We think the restrictions should include meal deals which include unhealthy foods and/or drinks, in effect offering a discount for purchasing certain combinations of products.

It is important that the government/PHE continue to commission market research to identify trends in promotions and discounting around HFSS products. Evidence shows some retailers are already moving towards permanent or temporary price reductions in some products, potentially as "loss-leaders"

**33 Do you think that the price restrictions should apply to pre-packaged products which fall into the categories included in Public Health England's (PHE) sugar and calorie reduction programmes and in the Soft Drinks Industry Levy (SDIL), and are classed as high in fat, sugar or salt (HFSS)?**

Yes

**Please explain your answer:**

We believe there should be a consistent approach to promotions restrictions across the UK, so would encourage government to align their approach with that of Scotland, which recently consulted on this matter. We think the Nutrient Profile Model (NPM) should be used to identify whether foods and drinks are considered healthy or unhealthy, and those identified as unhealthy should be included in the restrictions. In practice this is likely to include the products in the sugar and calorie reduction programmes and the SDIL, but it may include other foods and drinks. The current NPM should be used initially and the updated NPM when it is completed. However, if a separate review of the NPM is required to ensure that it applies to promotion then we would support a category-based approach which focuses on those categories which contribute most to children's sugar and calorie intakes.

**34 Do you think any other product categories should be included in these restrictions?**

Yes

**If yes, please explain which product categories and why. :**

Our preference is the use of the NPM to identify foods and drinks identified as unhealthy or in combination with a category based approach. Alignment with restrictions in Scotland, and indeed elsewhere in the UK, is important.

**35 Do you think any of these categories should not be included?**

No

**If yes, please explain which product categories and why.:**

**36 Do you think that the price restrictions should also apply to free refills of sugar-sweetened beverages in the out-of-home sector, if they are in scope of the SDIL, including where they could be a part of a meal deal?**

Yes

**Please explain your answer:**

Sugar sweetened beverages are children's (aged 11-18) top source of sugar, and free refills of sugar-sweetened drinks are likely to be a major contributor to excess sugar intakes in all age groups but particularly children and young people. The free refill model operates by creating the impression of value for money by consuming to excess. Excess intakes of sugar-sweetened drinks have been identified as a potential contributory factor in childhood obesity.

**37 For food and drink consumed outside of the home, are there other types of price promotion that should be restricted?**

Yes

**If yes, please explain which promotions we should consider and why.:**

We would expect that a free refills restriction should apply to HFSS food and drinks, such as free dessert/ice cream refills, which are known to be popular with children.

We would also urge government to consider restrictions to offers which give free sides or courses that are HFSS, as part of meals, particularly those aimed at children.

This is an area that should be kept under review, while the impact of this work is ascertained. Data on consumer purchases and consumption as well as any changes to manufacturer and/or retailer behaviour will help to inform whether the scope should be extended in the future.

## **Location restrictions**

**38 Which of the following options do you think is the most appropriate for achieving the aims of this policy?**

Option 1

**If you are proposing an alternative option, please explain how your preferred option would better deliver the aims of this policy, how it would be delivered and whether there would be any practical and/or implementation issues that we should be aware of. :**

We propose that the location restrictions should apply to the following locations: store entrances, ends of aisles and checkout areas.

We know that retailers use these areas to promote HFSS foods disproportionately. A 2018 survey by the Obesity Health Alliance (<http://obesityhealthalliance.org.uk/2018/11/19/place-unhealthy-supermarket-promotions-bad-wallets-waistlines/>), of which the BDA is a member, showed the majority of food and drinks promoted at these three specific locations are food and drink products included in PHE's sugar and calorie reduction programmes.

The BDA has also been a long time member of the Children's Food Campaign's "Chuck the Junk" campaign, aimed at reducing HFSS at checkouts, which fuel "pester power" whereby children ask parents to be bought sweets or chocolates while waiting at checkouts. Through this campaign it was made clear by parents that they wanted to see this changed.

A 2018 study (Ejlerskov K, Sharp S, Stead S et al. Supermarket policies on less-healthy food at checkouts: Natural experimental evaluation using interrupted time series analyses of purchases. 2018. PLOS) used data from 30,000 UK households to assess sales of small packages of sugary confectionary, chocolate, and potato crisps before and after supermarkets introduced voluntary policies to restrict unhealthy foods at checkout areas. The research found 7% fewer small packages of sugary confectionary, chocolate, and potato crisps were bought and taken home from supermarkets immediately after they announced a checkout food policy. One year after, the difference was about 16% fewer.

**39 Do you think that the location restrictions should apply to all of the following locations: store entrances, ends of aisles and checkout areas?**

Yes

**Please explain your answer:**

However, both trolley and basket checkout areas, whether self-scanning or manned, should be included, as should the shelving area and units parallel to the checkout areas. We would like to see additional clarity about this.

**40 Do you currently use or do you know about any official definitions for these locations?**

No

**If yes, please provide them below. :**

In our view this is liable to change as the retail environment develops and changes, e.g. checkout-less retail. Agreeing definitions for the purpose of this work would make most sense. We would be keen for the government to take steps to ensure definitions are sufficiently broad or flexible in order to prevent loopholes being exploited

**41 Do you think there are other locations inside stores that the restrictions should apply to?**

Yes

**If yes, please explain which locations and why.:**

We believe the restrictions should also apply to promotions placed in any free standing display unit. This should include ladder racks (often placed at aisle ends), bin and basket style units and bespoke branded point of sale units.

However, we think that the proposed areas (with additional clarity about the checkout areas) are the major areas of concern at the moment and legislated action on these would make a difference.

External oversight of progress, adherence to the restrictions and data on consumer purchasing practices before and after would help inform an ongoing programme which may identify if the restrictions should apply to other locations.

**42 Do you think that the location restrictions should apply to all products (whether pre-packaged or non pre-packaged) which fall into the categories included in Public Health England's (PHE) sugar and calorie reduction programmes and in the Soft Drinks Industry Levy (SDIL), and are classed as high in fat, sugar or salt (HFSS)?**

Yes

**Please explain your answer:**

We think the Nutrient Profile Model should be used to identify whether foods and drinks are considered healthy or unhealthy, and those identified as unhealthy should be included in the restrictions. In practice this is likely to include the products in the sugar and calorie reduction programmes and the SDIL, but it may include other foods and drinks. The current NPM should be used initially and the updated NPM when it is completed. However, if a separate review of the NPM is required to ensure that it applies to promotion then we would support a category-based approach which focuses on those categories which contribute most to children's sugar and calorie intakes. We think it is very important to have consistency on this approach throughout the UK.

**43 Do you think any other product categories should be included in these restrictions?**

Yes

**If yes, please explain which product categories and why.:**

See above

**44 Do you think any of these product categories should not be included?**

No

**If yes, please explain which product categories and why. :**

**Definitions**

**45 Do you think that the 2004/5 Nutrient profiling model (NPM) provides an appropriate way of defining HFSS products within the food and drink categories proposed for inclusion in this policy?**

Yes

**If you answered no, what other ways could we use? Please explain your suggestions.:**

As we have stated in previous answers, we think the Nutrient Profile Model should be used to identify whether foods and drinks are considered healthy or unhealthy. We would like the latest (updated) version of the NPM could be used as soon as it is available and practical to do so. However, we encourage a consistent approach across the UK.

**46 Do you think that micro, small, medium and large businesses should be defined by how many employees they have, as defined in the EU recommendation 2003/361?**

Yes

**47 Do you think we should consider other ways to define businesses apart from the number of employees, such as floor space/size or turnover?**

No

**If yes, please explain which methods you think we should consider and why.:**

**Businesses and products out of scope**

**48 Should the price restrictions apply to microbusinesses?**

Yes

**Please explain your answer:**

We do not believe that there should be any exceptions as small independent retailers are key suppliers of certain HFSS foods, such as sweets and chocolate. We do however support a longer implementation period for micro businesses to give them adequate time to adapt their businesses, and further support and tools from government to help them to implement the policy.

**49 Should the price restrictions apply to specialist retailers who only sell one type of product such as chocolatiers?**

No

**Please explain your answer:**

We disagree that they should be excepted – sweet or cake shops for example should still be prevented from promoting excessive consumption of their HFSS products. An even playing field is essential.

**50 Should the price restrictions apply to products that are non-pre-packaged?**

Yes

**Please explain your answer:**

We think the price restrictions should apply to non-pre-packaged food as well. HFSS products such as cakes, biscuits and pastries are often sold loose in retailers such as supermarkets. To create a level playing field, avoid loopholes and ensure the widest benefit of the policy, the restrictions should apply regardless of how products are packaged.

**51 Should the price restrictions apply to meal deals in the retail or out of home sector?**

Yes

**Please explain your answer:**

We disagree that meal deals are generally aimed at adults – there are specific offers designed for children (e.g. children's menu's). We also believe older children will regularly make use of conventional meal deals, which encourage the addition of snacks and sugary drinks.

**52 Should the price restrictions apply to any other price promotion activity in the out of home sector?**

Yes

**Please explain your answer:**

We would be keen to ensure that where promotions are equivalent to the retail sector, e.g. "supersizing" for the same price, or offering additional side dishes or courses for free, the same restrictions would apply.

Where a promotion is clearly designed to make it cheaper for groups – i.e. Kids eat free, or 2 for 1 meal deals shared between two people, we would understand why these are excluded from restrictions on out of home promotions .

**53 Should the location restrictions apply to very small stores that do not have distinct checkout, front of store and aisle end areas, even if they are part of a chain?**

Yes

**Please explain your answer:**

We do accept that it will be impossible for location restrictions to apply in the same way to very small retail outlets such as coffee shops. In these cases, HFSS

should not be focused directly at the point of sale or in a prominent location.

**54 Should the location restrictions apply to specialist retailers who only sell one type of product, for example chocolatiers?**

Yes

**Please explain your answer:**

Similarly, we understand that sweet or cake shops for example are unlikely to be able to avoid having their products in the locations otherwise restricted. However, they should be restricted from putting HFSS products or particular promotions of those products directly around the point of sale.

**55 Should the location restrictions apply to products that are non-pre-packaged?**

Yes

**Please explain your answer:**

We believe location restrictions should apply to non-pre-packaged products, as many retailers and supermarkets will sell HFSS products such as cakes or sweets loose. Retailers should be aware of the nutritional content of the products that they sell, and can apply a fairly commonsense approach to this.

**56 Are there any other businesses and/or products that should be out of scope of the price and location restrictions?**

No

**If yes, please explain which businesses and/or products and why.:**

As with the OOH calorie labelling proposal, if you exempt small or micro businesses or outlets (as highlighted in the Impact Assessment) the consumer landscape will shift, with small or microbusinesses specifically able to market themselves as sources of cheap products on promotion. This will in turn undermine the whole point of this policy

## **Policy implementation**

**57 How much time would businesses need to prepare for implementation?**

**Please explain your answer:**

We believe a 12-month implementation period for most businesses with longer for microbusinesses would be reasonable.

**58 DHSC will provide guidance and methodology that will help businesses to know which products can or cannot be promoted. What additional support is needed to put this policy into practice?**

**Please explain your answer:**

Although we believe these restrictions should apply as widely as possible, we believe government should look to provide specific support to smaller businesses. This could include providing standard online tools (such as a searchable database) for evaluating which products cannot be promoted, which would calculate the NPM value based on inputted product nutrition content values. Such a database would need to reflect "free sugars" content of products as required by the new NPM (but which are not declared on nutrition labels).

**59 Would these restrictions cause any implementation or other practical issues for particular businesses that we have not considered in this consultation?**

Not Answered

**If yes, please explain what the likely issues are and provide evidence and suggestions of how the issues could be mitigated for these businesses.:**

**60 Do you have any suggestions for how we can enforce the restrictions in a way that is fair to businesses?**

**Please explain your answer:**

We believe local authority trading standards teams would be best placed to enforce these rules, as they currently do for other areas such as cigarette or alcohol sales. However, as trading standards are normally investigation led, responding to complaints, we would want to see this coupled with a clear public messaging campaign designed to encourage members of the public to highlight inappropriate promotions.

However, we also recognise that this would represent a significant additional burden for those services, which are already stretched. We therefore believe specific funding should be made available to local authorities to ensure they are able to resource enforcement activity appropriately .

This is a very complex set of policies which will reflect a significant change in the way that supermarkets and retail spaces work. It will therefore be important that government invests in comprehensive proper pre- and post-evaluation to ensure we can understand its impacts. This evaluation should also consider the impacts on lower socio-economic groups to evaluate whether it leads to shifts in consumption as intended by the policy, or whether it simply increases the cost of their shopping.

## **Impact assessment questions**

### **General impact assessment questions**

**61 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?**

Not Answered

**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):**

**62 Are you aware of any comprehensive data sources on sales in the out-of-home food market and the nutritional content of the products sold?**

Not Answered

**If yes, please provide details of the information contained in the data set and the provider.:**

**63 Are you aware of any other data sources available which would improve our estimates of the number of food retailers and out-of-home food outlets?**

Not Answered

**If yes, please provide details of the information contained in the data set and the provider:**

**64 How will these proposals affect the relationships between manufacturers and retailers (e.g. sales agreements, sales targets, the future relationships and profitability)?**

**Please provide further evidence which could be used to improve our understanding.:**

**65 Is it reasonable to assume that retailers and out of home businesses are inspected by Trading Standards every 3.5 and 2 years, respectively?**

Not Answered

**If no, please provide further evidence which could be used to improve our estimates.:**

**66 Is there any additional evidence that would improve our understanding of the level of compensating behaviour which might occur?**

Not Answered

**If yes, please provide further evidence which could be used to improve our estimates.:**

**67 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?**

Not Answered

**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):**

### **Location restrictions impact assessment**

**68 Is our assessment of the major supermarkets' approach to placing HFSS food and drinks at checkouts accurate?**

Not Answered

**If no, please provide further evidence which could be used to improve our understanding.:**

**69 Is there evidence to suggest that smaller retailers are voluntarily restricting the placement of HFSS food and drinks in stores?**

Not Answered

**If yes, please provide further evidence which could be used to improve our understanding.:**

**70 Is there any additional evidence that would improve our estimates of the use of location promotions within the domestic retail or out of home markets, the sales uplift they provide and proportion of sales they represent?**

Not Answered

**If yes, please provide further evidence which could be used to improve our estimates.:**

## Price restrictions impact assessment

**71 Is it reasonable to assume that businesses will switch to using price cuts instead of volume offers to promote HFSS products?**

Not Answered

If no, please provide further evidence which could be used to improve our understanding.:

**72 To what extent are price promotions offered in the out of home sector?**

Please provide evidence which could be used to improve our understanding.:

**73 Do consumers respond in a similar way to price promotions offered in the out of home sector and those offered in supermarkets?**

Not Answered

Please provide further evidence which could be used to improve our understanding.:

**74 Is the approach used in the impact assessment suitable for assessing the impact on consumers and specifically for assessing the impact on consumer surplus?**

Not Answered

If no, please provide further evidence which could be used to improve our estimates.:

**75 If you are responding to this consultation on behalf of a business, how would your business adjust their promotion strategies to meet the 80/20 target?**

80/20:

## Equalities assessment questions

**76 Do you think that the proposed policy to restrict promotions of HFSS products by location and by price is likely to have an impact on people on the basis of their age, sex, race, religion, sexual orientation, pregnancy and maternity, disability, gender reassignment and marriage/civil partnership?**

Not Answered

If yes, please explain your answer and provide relevant evidence. :

**77 Do you think that any of the proposals in this consultation would help achieve any of the following aims: - Eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010 - Advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it? - Fostering good relations between persons who share a relevant protected characteristic and persons who do not share it?**

Not Answered

If yes, please explain which aims it would help achieve and how.:

**78 If you answered no to the previous question, could the proposals be changed so that they are more effective?**

Not Answered

If yes, please explain what changes would be needed. :

**79 Do you think that the proposed policy to restrict promotions of HFSS products by location and by price would be likely to have an impact on people from lower socio-economic backgrounds?**

Not Answered

If yes, please explain your answer and provide relevant evidence.:

## Further points

**80 Is there anything else that you would like to tell us or any more information that you would like to provide for this consultation?**

Please provide any further information below:

Please upload any further data or evidence below. :

No file was uploaded