



# Food, Diet and Obesity Committee

## Corrected oral evidence: Food, diet and obesity

Thursday 18 April 2024

10.05 am

Watch the meeting

Members present: Baroness Walmsley (The Chair); Baroness Boycott; Lord Brooke of Alverthorpe; The Earl of Caithness; Lord Colgrain; Baroness Goudie; Baroness Jenkin of Kennington; Lord Krebs; Lord McColl of Dulwich; Baroness Pitkeathley; Baroness Ritchie of Downpatrick; Baroness Suttie.

Evidence Session No. 13

Heard in Public

Questions 165 - 182

### Witnesses

[I](#): Charlie Bigham, Founder of Charlie Bigham's; Andrew Opie, Director of Food and Sustainability, British Retail Consortium; Sophie Lawrence, Stewardship and Engagement Lead, Greenbank.

## Examination of witnesses

Charlie Bigham, Andrew Opie and Sophie Lawrence.

Q165 **The Chair:** Good morning and welcome to this public meeting of the House of Lords Food, Diet and Obesity Committee. We are today holding the 13th evidence session of the committee's inquiry exploring the role of foods such as ultra-processed foods and foods high in fat, salt and sugar in a healthy diet and in tackling obesity. The committee will continue taking oral evidence until 9 May to inform its detailed report to be published later this year.

We will hear from Charlie Bigham, founder of Charlie Bigham's foods, Andrew Opie, director of food and sustainability at the British Retail Consortium, and Sophie Lawrence, stewardship and engagement lead at Greenbank. All our witnesses are joining us in person. You are very welcome. We very much look forward to your evidence. Please introduce yourselves briefly the first time you speak before you answer the first question in turn. Today's meeting is being broadcast. A written transcript will be sent to you to check for accuracy and subsequently published..

I refer to the list of Members' interests, including my own, as published on the committee's website and as set out in the committee's first evidence session on 8 February. Before we hear from our witnesses, I want to repeat briefly what I said at the start of the 7 March evidence session, which is this. While it would be inconsistent with Lords committee procedure to compel our witnesses to do so, we will, for the sake of transparency, be giving all our witnesses the opportunity to declare, voluntarily, any interests that they deem relevant to the work of this inquiry the first time they speak.

We are very grateful to our three witnesses today for agreeing to appear before us, and we will have a further evidence session with industry representatives on 29 April, when representatives of Danone, Itsu and Nomad Foods will be appearing before the committee. However, we have contacted a large number of other prominent food industry representatives, inviting them to give us oral evidence. These include Tesco, Asda, Waitrose, Morrisons, Lidl, Sainsbury's, Co-op, Iceland, Mars Wrigley, Nestlé, Unilever, KFC, Pizza Hut, Subway, Greggs, Deliveroo, Uber Eats and Just Eat. While some of them have offered to submit written evidence to the committee, none has as yet made itself available to appear before us in public session and answer questions.

Before I come to the first question for all the panellists, I want to put one question to our representative from the British Retail Consortium, Mr Andrew Opie. Several suggested that the British Retail Consortium, represented today by Mr Opie, or other trade bodies, could speak on their behalf or told us that they had contributed to your written evidence. While we are delighted to have you before us, Mr Opie, and we are sure that your evidence will be very useful, it is not a substitute for hearing from key representatives of food industry companies direct. My question to you is: can you tell us why such companies, several of whom are BRC members, do not seem to be available to give public evidence to this

committee of the House of Lords directly?

**Andrew Opie:** Chair, to come back to you on that and to pick up the point you made earlier, we work very closely with all the retailers you mentioned to agree an industry approach to obesity strategy and some of the elements of that such as reformulation and labelling. In fact, if you go back 10 years, the front-of-pack nutrition label, which has now been endorsed by the Department of Health, was a development through the BRC, working with our members to get agreement, which we then took to government. The feeling among members is that the BRC is able to represent them because they work so closely through us and they have such shared interests in obesity policy issues.

I presume we will be allowed to get into how the strategy itself should be applied beyond the retail sector to take into account all the other food businesses and consumers we talk with. They have utmost confidence in what we are doing. We have shared our written evidence with them to allow them to make comment, which we have incorporated. I have also discussed the evidence that we will be discussing today to make sure that we fully represent them, so I am confident that we can give you representation on behalf of the retail industry.

**The Chair:** Thank you. So the industry is sticking together?

**Andrew Opie:** Yes, and that has worked well. We can perhaps get into that in a minute when we come on to reformulation and labelling.

**The Chair:** Of course, the industry is part of the solution to the problem that we face. We all accept that. But I would point out that the list of companies I gave you included a lot of retailers but also high street distributors of fast food and delivery companies.

**Andrew Opie:** Some of those companies are also members of the BRC and, again, we have shared everything that we have done with them and taken their input.

Q166 **The Chair:** Thank you. After this session, if any of your members wish to submit any further written evidence, I encourage them to do so as soon as possible, please, because the formal deadline for written evidence has passed already and we are under tremendous time pressure to produce our report. Thank you for clearing that up. That is very helpful.

Now we come to the first question. To what extent do the investment, food manufacturing and retail sectors in turn drive unhealthy diets and obesity, and in what ways?

**Charlie Bigham:** Thank you for having me here. A useful place to start is that I am not here to speak for food manufacturers. I am here to speak for myself and for our business. Having read some of the transcripts from previous witnesses, I see that links have been made between some food manufacturers and unhealthy food and obesity. I cannot comment on what others do, but I want to be clear that we are a business that has no interest in making food that combines low cost, often ultra-processed ingredients into what Michael Pollan, in his excellent 2009 book *Food*

*Rules*, which I can recommend, calls “edible food-like substances usually made from a combination of fat, sugar and salt”. We take a different approach and aim to create food that is both delicious and nutritious.

I set up my business 28 years ago and today we have grown to be a medium-sized business making fresh food that is eaten by approximately 1 million people every week in the UK. The business was born out of a recognition—I guess my recognition—that many of us want a night off cooking every now and again but, like me, do not want to compromise by eating highly processed food, which is what was universally available at the time I set up the business.

Our approach is to use only ingredients that I would have in my store cupboard or fridge at home and cook them very much as you would at home, with saucepans, frying pans and ovens. Ours are just a little larger than yours maybe. All our food is made in two kitchens, not factories, and we do not use any of the ultra-processed techniques such as extrusion moulding and other weird industrial techniques, which you may have heard a bit about, which are often used to make ultra-processed foods.

To ensure that we are making healthy food, we are careful not just in how we make our food but in how we create recipes. We make over 50 different recipes, and each is predominantly made from what Professor Monteiro, who I think you have heard from already, would term category 1 ingredients in his NOVA classification system. When creating new recipes, we consider every ingredient very carefully. We do not develop recipes to hit specific health criteria, but we do a nutritional analysis when we are developing a new recipe. We have our own internal rules, and our aim is that one of our meals should not make up more than 40% of an adult’s daily recommended calorie intake or contain more than 40% of the daily recommended salt intake. We do not use sugar as a food ingredient, with a couple of exceptions—a couple of puddings we make. Where we do use sugar in a recipe it will never account for more than 10% of an adult’s GDA.

**The Chair:** Thank you. Why have you not chosen voluntarily to put the traffic light label on the front of your packs?

**Charlie Bigham:** We think the traffic light label system has some use, but it is quite a blunt instrument. As you may be aware, the recommended amounts in the traffic light system are based on the average European female. To give you an example of how blunt an instrument that is, I am quite a different size to the average European female. It is useful as a guide, but we do not believe that it should be the only focus.

**Lord Krebs:** The note that we have is that your chicken tikka masala for one contains 19.7 grams of saturated fat, nearly the entire daily reference intake for women of 20 grams, whereas a Tesco own brand version contains 8 grams of saturated fat. You do not stack up well against Tesco on that measure.

**Charlie Bigham:** I am not a nutritionist or a scientist, just to be clear. We see fats as slightly more nuanced. In my view, and I speak as an interested amateur, there are good fats and bad fats, or less bad fats and bad fats. We are very anxious to avoid trans fats and the highly processed fats in our food. In fact, we do not have any of them. I understand that some people will have a different view to me, but that is our view.

**The Chair:** Thank you. We now move on to Sophie. Give us a little introduction, if you would, before answering the question.

**Sophie Lawrence:** Yes, of course. Thank you. I lead stewardship and engagement at Greenbank, which is the sustainable investment business in Rathbones, a FTSE 250 wealth management firm in the UK.

I also come here today with my other hat, which is chair of the Investor Coalition on Food Policy. To give you a bit of context, it was set up in 2021 after the national food strategy came out to harness the collective voice of investors to engage with government on food policy. It is recognising that among the investor community we increasingly see a number of material risks, which I will talk about later in my remarks, that are linked to health but also to issues like biodiversity and climate that are facing our food system and wider economy. We are now over 30 members, representing over £6 trillion in assets under management, and we have an advisory group made up of Greenbank, Legal & General Investment Management and Guy's and St Thomas' Foundation, with the Food Foundation serving as the secretariat to the coalition.

I want to draw the committee's attention to the written evidence that this coalition has put forward to you as a committee. We did that jointly with ShareAction, which is a UK-registered charity established to promote transparency and responsible investment practice throughout the financial services sector. Much of the supplementary evidence that I will use to substantiate remarks is in that paper, and I will provide more in written evidence after the session today.

Moving on to the question, here I am representing the views of our coalition but also my own experience in working for Greenbank. Investors have significant influence over companies, as well as the wider supply chains, as owners of these companies and providers of capital. Investors hold listed company shares and bonds issued by all types of companies, including those in the manufacturing, retail and out-of-home segments, which hold substantial power within food systems and play an important role in addressing issues related to nutrition and obesity prevention. This means that investors in those companies are also key stakeholders in addressing the issues and, we believe, have the potential to drive substantial change in these companies' commitments, practices and disclosure on nutrition.

Many institutional investors are so large that they are known as universal owners. They hold shares or bonds in most or all the companies in the sector and in all other business sectors, so they are also interested in

health because their workers' health is affected by their diets. The financial returns that institutional investors deliver to their beneficiaries—it is important to remember that these are mainly pension and insurance policyholders, individuals and charities—depend on companies' financial performance. Those returns depend in part on how well companies are managing their environmental, social and governance risks as well as the opportunities and the impacts. Evidence is strongly mounting that companies that manage these most effectively provide better returns in the long run.

A key mechanism by which investors have influence is through stewardship and engagement. Stewardship describes how investors responsibly allocate, manage and oversee capital to create long-term value for their clients and beneficiaries, and this can take various forms. We have informal meetings with companies, but this also extends to more formal measures such as filing shareholder resolutions at annual general meetings.

Health has traditionally not been well understood or prioritised as a research or stewardship theme by investors, but I am here to tell you that this is fast changing. To signal a couple of examples, at the end of 2019 the Access to Nutrition Initiative, which is a body that provides research to investors and helps them to engage collaboratively with companies on the issue of nutrition, had 68 investor signatories, representing US\$7 trillion in assets under management. There are now 87, representing US\$20 trillion in assets under management.

Finally, we have seen an increase in shareholder resolutions being filed at multinational food companies, calling for better disclosure on their health performance. It is very fitting that I give evidence today, because ShareAction has co-ordinated a resolution at Nestlé's AGM that is being voted on today.

It is for all these reasons that we feel that investors have an important role to play in the decision-making on policy in this area. We also have a bird's-eye view of the challenges and opportunities that are facing companies and the wider economy. I will end there with that first question. Thank you.

**The Chair:** Thank you. Clearly, for investors the profit margin will be the most important factor. You have a responsibility to deliver that, of course. On the other hand, you are telling us that the social responsibility for public health is beginning to go up the agenda. Do you think it is possible in the long run for companies to be socially responsible and invest in healthier foods while at the same time maintaining their profit margins?

**Sophie Lawrence:** It is a really interesting question, and I will talk later about the systemic risk that we see and the direct risk, but really this is why we are calling for well-designed regulation. We feel that there needs to be a level playing field for companies, which is why we formed the group that we have. We recognise that there are socially responsible

companies that are taking steps to act on this issue, but we are not going to move the whole market unless we see well-designed regulation that creates a level playing field.

**The Chair:** I see. Thank you. No doubt we will hear more about that later. Can we turn to Andrew Opie? You are very welcome.

**Andrew Opie:** Thank you, Chair. I will not give an introduction, because you listed quite a few of our members at the beginning, but basically it is a trade association for UK retailers. I am very glad to be here today.

I am very happy to get into all the detail of what we are doing as an industry on things like reformulation, clear labelling and healthy choices, on which I know you have subsequent questions. I want to make an important opening remark. Retailers know that they have a very important role to play in helping consumers to tackle the obesity in the country at the moment. They will do everything they can. However, we need to have some context for this, in that there is a wider food market out there, beyond retailers, where other food businesses may not have taken quite such a progressive approach as retailers have. Also, ultimately we are driven by consumer demand and what they require when they come into our stores.

Every store, every major supermarket, supplies a perfectly healthy, affordable diet for anybody who wants to choose it. It is available. We have worked through the recent inflation crisis to make sure that we keep prices as low as possible for consumers. However, our obesity strategies over the last two to three decades have tended to be piecemeal, have not been comprehensive, have not addressed the wider food market and have not supported consumers, by education or labelling, to help them to make better choices. In our view, unless we start to see a much more comprehensive approach to obesity rather than this piecemeal approach, we will not make the progress that we want to see in challenging and tackling obesity.

I am very happy to talk about those issues, but my opening remarks are that a focus purely on retail or food manufacturing or consumers is not enough in itself for government. Government needs to think about the holistic approach to strategy and then how businesses like food retailers fit into that alongside their competitors and other food businesses.

**The Chair:** Thank you. We have been hearing from our witnesses that cooking food from fresh at home is a good way of avoiding ultra-processed ingredients, but supermarkets perhaps could do more to help people to put together the ingredients for a meal that might have been cooked in Charlie's kitchen but cooked in their own kitchen. Are there any initiatives? I think there is one called Hello Fresh, which can be delivered to your door. Is this a niche for supermarkets? They could do it themselves under their brand, could they not?

**Andrew Opie:** They do. Anybody who looks at a supermarket website will see hundreds of recipes on there showing how you can cook from scratch, for example.

**The Chair:** They do not put them together in the store?

**Andrew Opie:** They do in some of the deconstructed ready meals that you have probably seen in supermarkets, which allow people to do that. It is a similar model to the one that you described. Supermarkets are the UK's biggest greengrocers. Generally the first thing you see when you go into a supermarket is fresh fruit and vegetables. There is fresh produce and fresh meat. Everything you need at an affordable price to cook from scratch is in a supermarket. Our challenge is why that is not happening more at the moment.

Q167 **Baroness Boycott:** I do not think anyone would deny that you cannot shop completely healthily in all our supermarkets. They have amazing food in there, but the truth is that when you get into them the things that are in your eye line, that are on the corners, are cereals, ultra-processed food, sugar, sweets, candies. You end up with people having bought not just fruit and vegetables. We have heard from all our witnesses that there is a lot of work and effort in the way supermarkets design themselves. There is simply the fact that you are still allowed to sell two for the price of one and it is practically always on an unhealthy food. The way you shop is key to how we end up eating.

**Andrew Opie:** There are a couple of points to pick up there. First, you will be aware that the Government have regulated in this space, with location restrictions.

**Baroness Boycott:** Yes, and they have been knocked back.

**Andrew Opie:** No, location restrictions came in in 2022. It is a regulation that is enforced by government. It was based on HFSS products and moves them away from the tills, gondola ends and entrances. That is a government regulation. Interestingly, it only applied to larger stores, not to all stores, which may be a point we can discuss later when we talk about the role of SMEs in the diet. The Government have already intervened. They have postponed the introduction of volume restrictions, but you will also see that many supermarkets have already said that they will voluntarily take up those restrictions ahead of the regulation coming in.

The final point is that we sell a diet. We sell everything to a customer. A supermarket's aim is to get you to buy your weekly shop in their store. Yes, they will offer you chocolate and other indulgent products alongside the fruit and vegetables, but they are selling you the opportunity to buy a diet. I eat chocolate as part of a healthy diet. There is nothing wrong with chocolate inherently, and we do not know the science on UPF properly yet to know where the problems are or are not. I am saying that supermarkets offer every citizen in the UK the opportunity to buy an affordable, healthy diet.



**The Chair:** We are aware, unfortunately, that the regulations you just talked about are not universally applied and are not enforced because local authorities do not have the money.

Q168 **Lord Krebs:** My question has largely been asked by Baroness Boycott. Your response does not work. First, you say that the retailers are doing a really good job and it is someone else's fault, the people who make ready meals or whatever. Shifting the blame to other parts of the industry is not a good answer, not a good look. The second thing is the emphasis on education and choice. The evidence from the last 30 years of successive government policies on education and choice is that it just does not work. That does not wear with us at all.

The third point, which I think has already been dealt with by the Chair and Baroness Boycott, is that you talk about product placement. I should have declared that I am a technical adviser to Marks & Spencer, one of the food retailers. When I go into local supermarkets where I live in Oxford, you have moved the attractive pester power sweets and things away from the checkout, but that is because most of the checkouts are now self-service. You put them a few yards back where you are standing in the queue to get to the self-service checkout and the kids are being bombarded with sweet, fatty, nasty, unpleasant, unhealthy treats. I do not think you are being sincere when you claim that you are working hard to shift people to healthier diets.

**Andrew Opie:** That is a great challenge. Let me be clear, when I talk about what we are doing as an industry, I am happy to talk about reformulation and the fact that we are the only industry currently carrying the front-of-pack nutrition label across all the products that we sell. I am very happy to talk about healthier targets, which we will probably come on to later. I am saying that we can continue to focus just on the retail sector and not focus on other parts of the food businesses or consumers, and we will not make the progress. I guarantee that we will not make the progress as a nation that we need to make. We would like to go further and faster, but we are in a competitive food market. We need others to come with us to be able to make that progress. I am not blaming others. I am saying that government's responsibility is to develop an overall strategy that engages all the food businesses.

Similarly, to your point on choice, much of that is because customers do not have the skills or knowledge, unfortunately, to be able to build a sustainable diet. If you are worried about the cost of living and the cost of food, you will tend to buy the products that you know your family will eat because you want to avoid waste. We can do everything we can to make the choice easy and quick for consumers—I am sure we will talk about front-of-pack labelling for comparative products and ready meals later—but we cannot necessarily give them all the nutrition and dietary advice they need to be able to make all the right choices when they come into a supermarket.

**The Chair:** Thank you. Your demand for an overarching strategy has come over loud and clear. You are not alone among our witnesses, and

we certainly as a committee have taken that on board.

Q169 **Lord Brooke of Alverthorpe:** This question follows up on the same theme of the level playing field. Could you define a bit more the size of the competition you are talking about?

**Andrew Opie:** We all have a choice of where we eat our food. We can buy it from scratch, we can buy it readymade in a supermarket, make it at home, and buy it out of the home—we can go to a restaurant, a pub, a café. We can order it in through aggregators. Increasingly, consumers have a huge amount of choice readily available to them on their apps and their phones and can choose how they eat their diet.

On the point about regulation and a voluntary approach, and to Lord Krebs's point, I am not blaming others here. I am saying that without a level playing field you will not get progress. If only supermarkets engage with reformulation of their ready meals, for example, and food manufacturers do not, there is a risk commercially to the supermarkets. We like the tastes we are used to, and there are certain nutrients that we respond to. The customer may well think, "You know what, that's reasonably the same price. I'm going to buy that product rather than the reformulated one". If you do it voluntarily in only part of the sector, the fact that we have multiple places to choose to shop in and to eat our food in, and we can make easy comparisons and food is affordable, means that people will not always buy the right choice, if you were to define it as that.

That is where the level playing field on regulation in particular can make a difference. I will keep going on about this, but it is public health. This should apply across the board. We should not be looking at all these exemptions for SMEs or certain sectors. We should support them to meet the regulation. That is a different question, which we have put in the written evidence to you, but if we are serious about tackling obesity we should not simply be exempting whole swathes of our food industry because we are worried about the economic impact on SMEs.

**The Chair:** Thank you. That is very helpful.

Q170 **Baroness Ritchie of Downpatrick:** I refer to my interests in the register of interests. How should investors, food manufacturers and retailers respond to research associating ultra-processed foods with adverse health outcomes? I will start with Charlie and maybe you could tell us how you make your food healthy.

**Charlie Bigham:** Although the research on ultra-processed food is still in its infancy, to me it is already clear that, at best, eating such food is highly unlikely to be good for you, and it is very possible it might be bad for you.

**Baroness Ritchie of Downpatrick:** You say that there is a possibility that it could be bad for you. Could you elaborate on that?

**Charlie Bigham:** I think you have heard from witnesses on prior occasions on this. I am very interested in the studies that have been done and I have read some of the books on it, but I am not an expert in the way some of your previous witnesses have been. About 45 different studies have been done recently linking ultra-processed food and adverse health outcomes. I think the *BMJ* did a report on those. I think we should all be aiming to eat less ultra-processed food. As I say, even if it is not firmly established yet that it is bad for you, because it is in its infancy, it is quite clear that it is not good for you. It would be wise for all food manufacturers to respond to this now, not wait for more bad news to come out, and to get in there early. That is what we are trying to do.

**Sophie Lawrence:** From the perspective of investors, we see a strong overlap between the high fat, sugar and salt and UPFs. We see the two together when we are thinking about the systemic risk. This question is a good opportunity to tell you a bit more about the risks that we see as investors. Importantly, taking a step back, ultimately a healthy food system matters to investors because we are talking about the health of people and the planet, without which we cannot have a healthy financial future. We see good health as an asset. It enables us to thrive as well as contribute productively as workers and be active participants in the economy.

To drill down a bit on the risks, I will talk about the direct risks, the systemic risk and the opportunity side. One of these is government regulation and the introduction of fiscal measures. It is important for the committee to note here that investors are looking not just at UK regulation on this when they are weighing up the risks but at rising regulation in other parts of the world. At a global scale, 118 countries have already implemented taxes on sugar-sweetened beverages to date, as an example. That global picture is really important because of the highly geographically diversified nature of companies in investors' portfolios. There is also a growing reputational risk for companies where customers and stakeholders deem their approach to be inadequate due to the continued focus and promotion of offering unhealthy and unsustainable food.

It is also important to look at the systemic risk. This is the system-wide risk on the whole economy. The combined cost of obesity-related disease to UK businesses alone is estimated to be £27 billion per year. It is also important when we are looking at the systemic risk to see that 63% of the years that are lost to poor health are in the working-age population. That means that obesity has a significant impact on productivity and absence rates.

There are also the opportunities that come from a higher demand for affordable healthy options and changing dietary preferences. Good health, as we stated, is an asset to the investors and the wider economy. There is some good research out there from the likes of McKinsey looking at how better health could add to global GDP. We will talk about this more later, but we feel that these risks cannot be tackled in isolation. No

one company can tackle them, which is why we need well-designed regulation, fiscal measures and mandatory reporting in health performance so that we as investors can understand that risk.

**Andrew Opie:** We will do what we have done in other food issues. We will follow the science and will be guided by government and government advisers on that. We have a good track record on this. In 2007 we were the first industry to remove hydrogenated vegetable oils. The FSA published research on colours from Southampton University a few years later and we voluntarily removed those before waiting for regulation. We have a very good track record in this area on reformulation and using the science.

Our concern with UPF is that we need to take customers with us on this journey. For the last decade, our focus has been on HFSS, quite rightly. There is good science to back the reduction of the macronutrients in our diets—fats, sugars and salt. We have been engaged in labelling, communication with consumers and extensive reformulation to make that happen. With UPFs there is quite a lot of crossover with HFSS, but it is not universal and there are some risks in that. Somebody gave me a great example the other day of baked beans on toast, a high-fibre, low-fat meal, except both of those products would be considered UPF. Are we going to confuse consumers by talking too much about UPF and then losing the benefits with them that we have started to build up around the HFSS issue?

The other issue is, of course, that UPF more generally plays an important role, and processed foods play an important role in things like sustainability on shelf life, cutting waste, those sorts of issues. Our view at the moment is that we are following the discussion very closely because consumers will be as well, and I know we will talk about that later, but we will wait for the science. We do not want to compromise the progress that has been made on HFSS with a knee-jerk reaction on UPF.

Q171 **Baroness Goudie:** Starting with Sophie, what are the challenges and opportunities for manufacturers and retailers seeking to develop healthier offers?

**Sophie Lawrence:** I will make a couple of brief remarks on what we hear from investors when we are engaging with these companies, but I am sure my colleagues will have more to add here.

You will not be surprised to hear that we see the importance of well-designed regulation. It has the potential to create the right enabling environment for businesses to address the direct and systemic risks that I laid out and to build that long-term economic sustainability into their business models. It creates a level playing field and ultimately incentivises them to shift their product portfolios to healthier options. This is really difficult for companies to address in isolation. That point in itself is what gave rise to the Investor Coalition on Food Policy.

The other important point is that companies need reliability on follow-through with policy changes, given the investment they need to make in time and capital. That is something that we look at from the investor side, because we need to be thinking about the journey that they are on. As I mentioned earlier, realistically, if you leave it purely to the market, some socially responsible food sector companies will act, but laggards will not and we will not move to where we need to be, recognising the backdrop of rising levels of obesity that we have seen in the last 30 years, despite a lot of action that has been tried to be taken voluntarily. I will leave it to my colleagues to add to that.

**Q172 The Earl of Caithness:** Sophie, is there anything the Government could do to help shareholders to be more effective?

**Sophie Lawrence:** There are lots of things, I think. One of the things I will talk a bit more about later is mandating data in this area. It sounds like a very dry and boring topic, but we do not have good data on the risks and opportunities for health that I have laid out. At the moment, some companies are disclosing, but they are often using different underlying nutrient profiling models as part of that disclosure. They will have different scopes of their product portfolio included, which makes it very difficult for us to understand the level of risk that we see in our portfolios.

If you are looking purely at the financial sector, it is also regulation that requires us to measure the risks and opportunities in our portfolio. The likes of the Task Force on Climate-Related Financial Disclosures have gone a long way in making sure that we fully understand the climate risk, and I argue that we need something similar for health.

**The Chair:** Thank you. Can we now go back to Baroness Goudie's question about risks and opportunities?

**Charlie Bigham:** It is very simple. The challenges in creating healthier food are principally around price and how long food lasts, shelf life. Healthier food is more expensive to make, and therefore more expensive to the consumer, and will last a shorter amount of time.

**The Chair:** On your website you say how difficult it is for you to completely avoid what you call the grey area of ultra-processed stuff like stock cubes or powdered something.

**Charlie Bigham:** Yes. One of the challenges we face is that UPF is in its infancy, as I have already said. At the moment, there is no precise and universally agreed definition of what they are. Our approach is to be extremely transparent about this on our website. We have some information on it, and we are about to put on a lot more within the next few weeks, listing all our ingredients that we think have even a half question mark against them. To give you an example, Professor Monteiro would put bacon and cured meats into the category of processed food, I believe—category 3—although there is a lot of debate around the science of whether cured meats are unhealthy. I would not be surprised if at

some point someone says that they should not be seen as a category 3 but as a category 4. At the moment, it is slightly shifting sands, which does not make it easy for consumers or for us as manufacturers or retailers to respond.

Can manufacturers make healthier foods that are a bit more expensive and last perhaps a bit less time on the shelf? The fact that we are a thriving, growing business 28 years in is evidence that it can be done.

**Andrew Opie:** Sophie captured that one of the opportunities and challenges for any food business going forward is that there will be increasing investor scrutiny of this area. We are definitely seeing it in the sustainable area around carbon and increasingly around nature and biodiversity. Similarly, the balance of portfolio that a retailer is selling may well determine the access to investment funds that they get to go forward for innovation and investment in their business. It is definitely there.

Then, of course, there are the consumers. For consumer opportunities you have the choice. We know that consumers generally want to do the right thing. They might not always make the right choice, but they generally do for their families. If you can make that opportunity as easy as possible for them to take, they will take it.

More generally, because of the scrutiny that particularly large food businesses, retailers and manufacturers are under from people like NGOs and Governments, there will be a brand reputation issue as well that will call out. We used to see a lot more of that with salt reformulation, for example. Very active NGOs would provide league tables of businesses and what they were achieving, which may be picked up by the media and affect their brand reputation more widely. There are good reasons why every food business should be thinking about the portfolio that it sells.

Q173 **Baroness Boycott:** A quick question for Charlie. You and lots of other people have said, "We can't make the healthy food as cheaply". Why not?

**Charlie Bigham:** Unhealthy food is made up mostly of combinations of fat, sugar and salt—three very inexpensive ingredients—and put through processes to make them all stick together. I do not know how it works.

**Baroness Boycott:** What about your food?

**Charlie Bigham:** We buy entirely fresh produce, so we use very few frozen ingredients. Fresh ingredients are more expensive—the transport of them alone.

**Baroness Boycott:** Do you make less money, less profit margin, than people who are making the—

**Charlie Bigham:** Yes, we do.

**Baroness Boycott:** If you were able to set out in writing the kind of profit margins that are being made, it would be very useful, very

interesting.

**Charlie Bigham:** Our profit margins are a matter of public record, because we are a limited company, so they are available at Companies House. You will see if you go into them that we do not make the same levels of profit that a large global food business might make.

**Chair:** If you can do it and be profitable, hopefully other people can too.

**Baroness Boycott:** That is the point, yes.

Q174 **Baroness Suttie:** Starting with Andrew, and talking about actively promoting a healthier diet, what role do you think the retail sector should play, particularly given the seriousness of the situation?

**Andrew Opie:** There are probably three things for me: definitely healthy choices in the supermarket itself; access to that; and those choices at a good price. We have seen increasing competition in the last couple of years in food and vegetable promotions and those prices being benchmarked against other supermarkets. It is definitely about helping customers to make clearer choices about processed foods, which is about clear labelling. We have been using the front-of-pack label for over a decade now, and that allows customers to make a direct and easy choice between products, particularly in the processed area.

Then there is reformulation. Where you can still deliver the same taste and quality and remove fats, sugar and salt, why would you not do that for a product and improve it? We have been working for probably 15 to 20 years on salt, but less closely with the Government in the last five to 10 years on fats and sugars and reformulation. There is industry agreement about where we can go with that and what we can do to make a difference.

It is all those things wrapped up to give customers as much information as possible and to make the choices easy but to make it affordable for them to make those choices as well.

**Baroness Suttie:** Thank you. The same question goes to the investment sector.

**Sophie Lawrence:** I have talked about engagement, an area that is starting to gain momentum on this topic. I also want to point out that it is not everyone yet. A lot of the investors in our group are either universal owners, as I said earlier, so they are investing in the whole economy and they see the systemic risk, or they are long-term investors. Regulation, which introduces fiscal measures and mandatory reporting would lead to health being seen by investors as a financially material issue on a shorter-term investment horizon.

To talk through some of the mechanisms and how they can expand, we already have the Access to Nutrition Initiative and the likes of ShareAction's long-term investors in people's health programme. These groups get investors together, and we can have a lot more influence

when we come together. We will come together with a particular retailer and a particular manufacturer and there is that combined factor. I mentioned some of the shareholder resolutions that we have seen. That has really only happened in the last three years.

It is interesting to draw the parallels to engagement on climate change. I would argue that the action on nutrition, health and obesity could follow a similar trajectory, because they both pose systemic risks and have macroeconomic impacts on the economy. One engagement initiative is Climate Action 100+, which some of you might be aware of now. It has over 700 investors across 33 markets. In 2012, there were only 10, including Greenbank, engaging with companies. That has changed in the last 10 years. We need to do it more quickly for this topic, but I wanted to give that as an example of combined investor pressure and how it can grow. We are at the cusp of seeing that momentum starting to shift. The rise in shareholder resolutions on the topic is a good example of that, as is the growth of these coalitions, and I think we will see more it.

Coming back to the data, companies are currently disclosing a range of different metrics, as I mentioned. I mentioned that we were having a similar conversation about climate. I want to bring the national food strategy to the table here. That had some brilliant elements to it, and one of those was developing mandatory reporting requirements. That is something that we as an investor community strongly feel could drive change, and I will probably pick up on a bit more in my remarks later.

**Baroness Suttie:** Thank you. Charlie, what role should the food manufacturing industry play in promoting a healthier diet?

**Charlie Bigham:** I believe that everyone involved in making food should be promoting healthier eating, and it is something we strive to do. We have heard about choice being very important, and Lord Krebs pointed out that some of our recipes—he named our delicious chicken tikka masala—are quite high in fat. But we have choice. Not all the dishes we make are high in fat, so if somebody wants to choose a lower fat option that is available.

The other thing that is key for food manufacturers, and there is a huge opportunity for there to be more of it, is transparency. I have talked a bit already about our transparency around UPF and our desire to significantly enhance that. However, at Charlie Bigham's we believe that not only should we be constantly striving to be making food that is healthier, but that it is really important that we support the wider ecosystem, in particular some of the not-for-profit organisations, with this aim.

It is for this reason that we support the excellent Chefs in Schools charity, which you have already heard from. We are completely aligned with its view, which is why we support it, which is that starting healthy eating at an early age is key to forming good lifetime habits. Therefore, the role of food in education, whether that is what the kids are eating or learning about, or hopefully both, is key.



Q175 **The Chair:** Thank you for that. Obviously, children are eating your products, but you do not seem to feel the need to package your products with cartoons and bright colours and things that are of particular attraction to children. Yet I presume from what you are saying you are aware that many children are happy to eat your products.

**Charlie Bigham:** Yes, we are very happy for children to eat our products.

**The Chair:** So you do not feel it is necessary to put cartoons and attractive things to children on the packaging.

**Charlie Bigham:** We have made an active choice not to have a children-specific range. I do not think that is necessary. Healthy eating, with my kids, starts with kids eating from an early age what I call normal food.

Q176 **Lord McColl of Dulwich:** We have heard a lot about the evils of fat. In fact, the obesity epidemic started with the food industry demonising fat, but it is the right kind of fat, unsaturated fat, that limits the amount you eat because it goes into the duodenum and releases a hormone that delays the emptying of the stomach and so obesity is limited. Why is there so much opposition to unsaturated fats, please?

**Andrew Opie:** We are following the science and the guidance from government, which was for us to focus primarily on saturated fats. That is covered in the nutrition label, and overall fats are also on that label. We are not necessarily demonising unsaturated fats, if that is indeed the case. We are following the advice from government that we need to reduce our intake of saturated fats.

**Lord McColl of Dulwich:** Yes, but what is wrong with unsaturated fats? They stop obesity.

**Andrew Opie:** I do not think we are saying there is anything wrong with them. We are trying to act on the Government's suggestion that we need to cut saturated fat.

Q177 **Baroness Boycott:** Basically, this question is about how effective the current approach is to the regulation of food marketing, including advertising, promotions and labelling. Please stick to the current ones, if you would, because Lord Brooke will come on to what the approach might be in the future.

**Andrew Opie:** We still need to get the data on some of those. I am thinking about location promotions, which came in in 2022. We are aware that there are some academic studies going on. Just as an aside, I keep talking about the Government's obesity strategy, but one problem with the obesity strategy is that interventions are put in without evidence to follow up to see what works best so that you dial it up or down as part of an overall strategy. I put in my written evidence that the Government need to properly resource their public health strategy to ensure that data that comes from things like this and research can be acted upon to make it effective and to tweak it if necessary. We tend to get an intervention,

and there is very little follow-up to know what the most effective interventions in for example obesity are.

We are aware that there is some research going on. That involves retailers as well as a couple of universities that I am aware of, so we will probably see at the end of this year or maybe next year what the impact of location restrictions has been. Retailers did some trials with the Department of Health before it introduced the regulation on that, doing some live testing in stores on moving products before the regulation came in to see how customers reacted to that. Presumably that was taken into account when the Government drafted the regulation on location restrictions.

Some major change in advertising is due to come in next year, as you know, so we will wait and see. I think it will have a significant effect. Advertisers, manufacturers and retailers are already thinking about how it will affect their advertising campaigns. As an aside, a slight concern is that we do not have the detailed secondary legislation regulations on this yet, which is making it very difficult for retailers, manufacturers and advertisers to plan their advertising campaigns for next year, because we do not know what will be covered specifically. We know the generality of the regulation.

Volume promotion restrictions—the multiple buys—also come in next year in supermarkets. Interestingly, the trend in retail has been to move away from volume promotions to everyday lower pricing models and direct comparison on price between different products. In some ways, whether it was the threat of the regulation or consumer behaviour, that regulation will probably have less of an impact than it might have had five or 10 years ago, just because the pricing models in supermarkets have changed.

**Baroness Boycott:** You said that there was not enough evidence, but from what we have heard, and from what the Government did on both those regulations, there seems to be a delay on the scrapping of the two for the price of one and that kind of advertising on children's TV. Did your organisation or any members of your organisation play any part in lobbying government to get that delayed?

**Andrew Opie:** On location restrictions?

**Baroness Boycott:** On location restrictions or on the delay on advertising. In debates here, one Peer was quoted as saying that the advertising accounted for only 1 calorie. You know that this is coming from the food industry.

**Andrew Opie:** On the advertising, it is the converse. I spoke to a number of senior leaders in retail businesses last week who said, "Now the Government have announced what they're going to do, just get on with it".

**Baroness Boycott:** Why do you think the Government delayed it?

**Andrew Opie:** You will have to ask the Government that question. We have not asked. On location restrictions, we asked the Government whether it was the right time to implement it when they did, purely because we were in the midst of the highest food price inflation in decades. The location restrictions—and I have seen the figures—cost the retail industry in the region of £0.5 billion to implement. This was at a time when consumers were struggling to buy a healthy diet in supermarkets, so we simply said to the Government, “Do you want to introduce it now or do you want to wait until food price inflation begins to drop?” Expenditure of £0.5 billion at that time would have gone directly into food price cuts.

**Baroness Boycott:** I am sorry, but following up from Lord Krebs’s point, the whole point about location is about unhealthy food, not healthy food. Somehow that has not quite worked.

**Andrew Opie:** Well, it does, because consumers still buy a diet when they come into the stores. As much as we might not like them to buy those products, they buy those products. We can work with them to try to help their choices, but they buy those products, so that is coming out of their budget. We were simply saying to the Government, “Is it the right time to introduce it now?” They decided to go ahead, we made the changes, we paid the costs and we moved on.

**The Chair:** Indeed, some supermarkets went ahead straightaway anyway, cost or no cost, did they not?

**Andrew Opie:** No, that was with the volume promotions. A number of supermarkets have already announced that they have already stopped the volume promotions. The location restrictions regulation came in in 2022.

**The Chair:** I see. Sorry to take up the time.

**Sophie Lawrence:** Building on some of the things that Andrew mentioned, from our perspective it is the U-turns that are made on policy that make it difficult for companies to think about how to respond, but also by extension their investors, in understanding the risk those companies face. There are higher costs if you act later, so you need consistent regulation and trajectory to be able to make the change ahead of time.

There is also the importance of a long-term government strategy in this area. We have recognised from the engagement that we have had—we have been part of the Food Data Transparency Partnership, which was committed to in response to the national food strategy—the diffuse leadership there is for health across different parts of government. Although many departments have some responsibility for health, few are accountable for the long-term progress, as Andrew mentioned. Some of the levers are also spread too thin across them.

The Secretary of State for Health and Social Care also has limited ability to influence the policy of other departments, unlike the Prime Minister. We feel that a coherent strategy and a bespoke government institutional architecture to commit to long-term population health improvement is needed. I have used quite a lot of parallels with climate change, and we already have this with the Climate Change Committee. That is just one idea reflecting on our experience from engaging with government on this issue.

**Charlie Bigham:** I am not a great expert in this area, but I will observe that obesity and other health statistics suggest that measures used to date have not been massively effective, although maybe it is just a matter of time.

Q178 **Lord Brooke of Alverthorpe:** I declare an interest in stevia. It is a healthy alternative to sugar, which the Government have shown no interest in promoting.

Looking to the longer term, we see that we have made progress on salt, and we have a debate going on now about fat and whether we got it right in the first place, but sugar is a major one that has an effect right across the board and we have missed all the targets there. What kind of strategies can we develop to reduce the amount of sugar in so many of the products that we have?

**Andrew Opie:** Can I clarify a previous answer on the £0.5 billion, because this is important? That was a cost to the supermarket, not a cost to the consumer, so it made no difference whether consumers were buying fruit and vegetables or whether they were buying chocolate. It is like a business rate tax that all the supermarkets paid and which came out of their revenue. It would not make any difference if everybody stopped buying chocolate. We had to pay the £0.5 billion to move the fridges, to move the store around basically, and to refit stores to do that. That is why the cost was important, because it played into all our food bills and food costs. I want to be clear that we are not saying that it stops people buying chocolate or crisps or whatever. That was just another cost alongside things such as business rates and various other costs that the supermarket would have had to pay out of their revenue.

**The Chair:** Thank you for that clarification.

**Andrew Opie:** You are right on reformulation. Probably the best reformulation programme we have been involved in has been salt, which started the longest time ago. It was started by the Food Standards Agency and had a lot of FSA support at the time to work with businesses. Salt is probably the easiest nutrient to reformulate. There were issues with taste, and you must be careful that you do not remove too much too quickly.

On sugar and calories, the work that we have done over the last five years or so with government, the programme, has not been as well formulated as it was with salt. It was not very clear on the categories or even the approach that businesses should take. It was more of a baseline

for where you start with sugar and then where you take it. So there is less on the products than on the reformulation themselves, whereas salt was very clear. I think there were 28 categories for salt, which allowed businesses to focus on those, work with their manufacturers and make a difference.

We did not get the same guardrails and guidelines for sugar and calories in the way we did with salt, so it needs to be well thought out, structured and pragmatic, and it needs to work with industry so that you can go on a trajectory that allows you to make those changes without necessarily affecting consumer taste and choice.

**Lord Brooke of Alverthorpe:** What would incentivise?

**Andrew Opie:** Our view is potentially to look at whether reformulation targets might be the way, and if you needed to support that through regulation, you do it that way.

**The Chair:** Do you think they should be mandatory?

**Andrew Opie:** They could be. Over the last decade to 15 years, we have seen with the reformulation involving salt and then into sugars and calories that some businesses moved but not the whole market. This is a competitive issue. Customers like a taste and get used to it, and we saw that with salt in the early days. The manufacturers who took too much salt out of their soup quickly saw sales drop.

**Lord Brooke of Alverthorpe:** There are healthier alternatives for the taste.

**Andrew Opie:** There are, where it is possible to do that, but you need a pragmatic approach to making the changes so that you do not move too quickly and that you take consumers with you, and there need to be mandatory guidelines behind it so that it applies wherever. Why should a lasagne in a pub be any different to a lasagne that you buy in a supermarket, for example? At the moment, they are not comparable, and they should be. If you go on that basis, you could mandate it around reformulation targets to state, "For this type of product we expect a maximum of these nutrients". We would definitely support that.

**Sophie Lawrence:** You will not be surprised to hear that we are in support of mandatory reporting. Taking a step back, in the last 30 years we have had 14 UK Government obesity strategies and 689 policies, the majority of which have been voluntary, yet in that time obesity has doubled. That tells us all we need to know about mandatory versus voluntary.

We have talked already about creating a level playing field, and the Investor Coalition on Food Policy is supportive of well-designed fiscal intervention. We are not the experts here. There is some brilliant work being done by the likes of the Recipe for Change coalition, which is a group of NGOs in this area looking at different fiscal measures. We are supportive of anything that we come up with, with phased

implementation, giving industry a sufficient window to reformulate. It does need to be well designed, but it must also be mandatory.

Q179 **Lord Colgrain:** I think you have in large part already answered my question, but I will ask it nevertheless. My interest is set out in the register, but I should perhaps add that I have a significant number of Charlie's extremely good fish pies in my deep freezer at home.

Some witnesses to the committee have argued that voluntary reformulation programmes have been largely unsuccessful. What is your view on introducing further mandatory measures and what would be the fairest way to deliver such measures?

**Charlie Bigham:** Regulation in this area is great, I am all for it, bring it on. Andrew has talked a bit about it already. The salt reduction was a voluntary measure, and it is interesting how that worked. I looked up a few statistics and I think the population's salt intake with that programme dropped by 10% over a seven or 10-year period. Now we have gone further, and the next stage is to get salt intake down by a further 7% by 2024, the end of this year. It is broadly working.

I think there is an interesting aside here about how things apply to all businesses—including SMEs, not just the big businesses—whether it is voluntary or mandatory. When the voluntary salt targets were brought in we were a smaller business than we are now, so we were not part of the coalition that signed up to doing it in a certain way. We decided to be reactive rather than proactive, so we monitored our consumer comments, and every time we saw the balance between too salty and too bland change we reduced. In the same period during which the nation's salt intake was reduced by 10%, the average salt in our food has reduced by 15%. It is an interesting example of how something can work on a voluntary basis in a meaningful, successful way, but also how not making it apply to small businesses and big businesses alike can have a positive ripple effect.

There is an example of mandatory regulation working quite well with what became known as the sugar tax, the soft drinks industry levy, which I understand reduced the amount of sugar in fizzy drinks. A lot of people replaced sugars with natural fruit juice, although I am sure that some people who have given evidence to this committee say that some of the ingredients that replace the sugar were even worse than the sugar. That is a different view.

When it comes to future measures, either voluntary or mandatory, I suspect that consultation with the food sector would be very useful, but I do not think that should be an excuse to slow down implementation. It is clear, as Sophie said, that we have a growing obesity crisis that needs to be tackled urgently. I thought that the ideas put forward by Henry Dimbleby in his national food strategy, which involved putting a tax on sugar and salt to manufacturers, was a very interesting one in its simplicity. I think perhaps as the science becomes clearer around UPF, and particularly around the UPF marker ingredients, a similar approach

could be taken with UPF markers. It could even be a punitive tax rate to people like us. We do not buy those ingredients, but some of our competitors do. If we had to pay more for sugar and salt, perhaps that would encourage us and the whole manufacturing industry to use less.

**Lord Colgrain:** Sophie and Andrew, do you have anything to add to what you said previously?

**Andrew Opie:** The only thing I will add is that we have not spoken about front-of-pack labelling yet, and I would probably start with mandatory front-of-pack labelling. The Government endorsed the front-of-pack label maybe a decade ago, off the top of my head; I forget now. That has had take-up across some manufacturers and the retail industry, but it is not universal. It seems to me that that might be a good way to start, because then you can make direct comparisons. Where we know it works is in things such as ready meals, pizzas, where people can make a direct comparison because they can see the colours. It will not build the diet necessarily, but it is something that the Government could quite quickly intervene on.

**Sophie Lawrence:** I am happy to move on to the final question. I think most things have been said.

Q180 **The Earl of Caithness:** I have a particular supplementary for Charlie on portion size, as you are the only food manufacturer that dares appear in front of us. How did you come to your package size? I used to be able to eat half a pack of what you produce. Now I find half a pack too much. Often on these prepacked foods it says, "Do not reheat", so you force yourself to eat more so as not to waste the food. How did you get to your size of pack, and can more be done to reduce the size of a pack so that we start to eat a bit less and take in fewer calories?

**Charlie Bigham:** Our pack size is significantly driven by the commercial reality. We are trying to make our food affordable for a wide range of people, which has an impact on the pack size. We look at what the rest of the market is doing and size things accordingly. We are cognisant of the total number of calories in one of our meals and we try to keep it to 40% of an adult's daily recommended intake, so that has an impact on size as well.

It is difficult for us. Our food is bought and eaten by a wide range of people across different age groups, and we notice that perhaps people at different stages in their lives have different appetites.

**The Chair:** Very politely put.

**The Earl of Caithness:** Would you consider having two sizes?

**Charlie Bigham:** We do portions for one, yes.

**The Earl of Caithness:** You have food for one, but would you consider making a range for two people slightly smaller?

**The Chair:** Not many people ask that.

**The Earl of Caithness:** I am putting in an order.

**Charlie Bigham:** Unfortunately, I think that would prove to be confusing for some of our consumers and challenging for our supermarket customers to make the extra space available to have three different choices.

**The Chair:** Can I reinforce what I said earlier that there are other food industry representatives coming to talk to us on 29 April?

Q181 **Lord Krebs:** Before I ask my question, as a footnote to the comments Charlie made about the salt reduction programme and its success, I was chair of the Food Standards Agency when it was first initiated, and I was very strongly criticised by the Better Regulation Task Force who described it as quasi-mandatory. That was because we named and shamed companies that were not reducing salt, and that was seen as coercing companies to behave in a way that we wanted them to behave. I mention that the boundary between voluntary and mandatory is sometimes a bit blurred in the eyes of certain people.

My question is one that Charlie started answering a few minutes ago, which is whether the food industry should be involved in policy-making. I think you said, and Andrew said earlier, that it is better to work with the industry rather than in an adversarial relationship. Yet a number of our witnesses have said that the food industry is basically evil, a bit like the tobacco industry, and we must keep their sticky dabs off any policy formulation. To Charlie first, since you have commented on it already, could you elaborate, or do you think you have said enough?

**Charlie Bigham:** I will elaborate briefly. I think that conflating tobacco and food is an error. With tobacco, once the evidence became overwhelming that it was harmful it seems to me that it was a very sensible policy to encourage people to cease smoking, there being no level of smoking that was good for you. With food, the message must be more nuanced, because we all know food is essential for us to survive and some food or combination of food is actively good for you.

Deciding what food policy should target to tackle issues of diet and obesity is not going to be easy. As an example, opinions and perhaps even science changes on this. It was not that long ago that low fat spreads were deemed to be good for you, but now I think that orthodoxy is certainly under challenge. In Chris van Tulleken's very good book *Ultra-Processed People* he recommends that any food claiming to be low fat is almost certainly ultra-processed, and he identifies margarine as perhaps the very first UPF that existed.

If there is going to be policy to discourage—I will focus on UPFs—it will not be straightforward, and consultation with the sector will be essential. Again, turning to Chris van Tulleken's book, he estimates that the average UK diet is currently made up of 60% UPF food rising to 80%



among teenagers. Therefore, banning or significantly taxing all that overnight is not going to work.

**Sophie Lawrence:** On this one I want to share some experience of the investor coalition engaging with government via the Food Data Transparency Partnership, which has been in the last couple of years. I think it is fair to say that we have been concerned about the potential—I stress the word “potential” here, because we do not have evidence of this—influence that the food and drink industry companies have had in that process in, I stress again, “potentially” watering down the ambition of the project. To remind ourselves of its initial scope, it was going to have four working groups: eco, animal welfare, health, and an expert user and data group. Both the health and eco working groups were due to explore a mandatory reporting methodology for companies. In June 2023 the scope was confirmed as being significantly scaled back in the number of working groups, only focusing on eco and health, and in exploring reporting that was voluntary only.

I should reiterate to members of the committee that we see the steps being taken as part of the Food Data Transparency Partnership to decide on a voluntary set of health metrics as an important stepping stone to mandatory reporting and we remain part of the process.

I want to draw the committee’s attention to the fact that investors are increasing their scrutiny of corporate lobbying efforts on health and nutrition as we see it plays a role in dissuading or watering down food policy intervention. This is part of our strategy as a coalition for 2024. We will be conducting a pilot project with InfluenceMap, one of the NGOs that work in this area. Investors are seeking to understand where companies are actively lobbying against regulation that would support a shift towards food system transformation and increased transparency.

I also want to draw the attention of the committee to the Access to Nutrition Initiative, which has recently released a spotlight on lobbying that looks at the world’s 25 largest food and beverage companies’ lobbying policy commitments. It uses the responsible lobbying framework that I think is a good framework for us to be able to look at companies and assess their lobbying activities. It finds that the average score aligned to that framework is 21% across all 25 companies with scores ranging from 3% to 50%. While there is a wide variation in company maturity, current practice is far from the standard that the responsible lobbying framework lays out.

Overall, I think that stakeholders who are required to improve their products for the benefit of public health should be consulted about the implementation of policies in depth, definitely, but not necessarily involved in the development and evaluation of those policies.

**Lord Krebs:** Thank you. Andrew, what is your view about whether industry should be involved in policy development?

**Andrew Opie:** I think it is crucial, frankly. Ultimately, the decisions are made by government—and regulators, if it gets to regulation—but where retailers in particular can help is consumer data, for example. They have the best data available to anyone and we frequently share that with the Department of Health, as we did when you were at the Food Standards Agency to help your decisions and maybe look at unintended consequences as well as where things might go in the future. In fact, one of our problems is that we have shared too much data with the Department of Health and they have not had enough people to use it or make use of it. It comes back to my point that you must have a well-resourced government to be able to deal with industry. On that point, it is crucial that you move at a pace where we think consumers can go and using existing data may help with that trajectory.

The other thing is we have spoken a lot about a level playing field and regulation. Ultimately, government has only so much regulatory time, and there are some things where it probably will have to come to industry and say, “We won’t get regulatory time. Can you do something on it?” If I go back to the Southampton colours or HVOs, it was not legislation that changed it. That was government having a good relationship with the food industry where they would say, “This is an issue. Can you change?” and the industry came together and said, “Yes, we can.” It does not always have to be a confrontational thing. It can be a partnership.

Ultimately, it is Ministers who will make the decisions on what they want to do in regulation, not us, but if we can help them make really good policy why would they not engage with us?

Q182 **The Chair:** Thank you. What you have just said about data, Andrew, brings me to a question I have been wanting to ask you. As you rightly say, supermarkets have a massive amount of data about their customers’ buying habits and a whole lot about the background of those customers as well. In a round table under the auspices of the Government Office for Science, when they were discussing the different aspects of research that will be needed to clarify the mechanisms of the effects of ultra-processed foods, it was suggested that it would be helpful to researchers to have access to some of that data, which you have just told us you have been willing to give to the department and to the Food Standards Agency. Do you think your members would also be willing to provide that information to bona fide researchers?

**Andrew Opie:** I would need to see the detail of it and for it to come through government, but there is nothing that strikes me in principle as to why they would not want to do it. I think there are two things that we would definitely ask for. The first is that you make the way that we provide that data as easy as possible, because we are busy businesses and we have a lot of other data requests. Secondly, crucially, government must act on it. In the last decade or so we have been through a number of periods where we have submitted significant data to government and it just seems to go into a black hole and we do not know where it goes. That does not stimulate our members to be particularly helpful when it

comes to the next one. If they were clear about what was required, they made it easy for the business and there was definitely an outcome on this, I cannot see why we would not.

**The Chair:** That is very helpful. Thank you. I think we are on the same page. This committee is hoping that the recommendations in our report do not fall into a black hole and that action is taken.

Thank you all very much for coming today. It has been particularly interesting to have a food manufacturer, an investor and a representative of the retailers and providers of various sorts in the food industry all together giving us evidence. You all come from different positions and it has been interesting to hear all that together. To remind you, you will receive a transcript of what has been said this morning. If you need to correct it, please do so and it will be corrected before it is published.