



Dame Caroline Dinenage MP
Chair
Culture, Media and Sport Committee
House of Commons
London
SW1A 0AA

Advertising Standards Authority
Castle House, 37-45 Paul Street
London EC2A 4LS
Telephone 020 7492 2222
Email enquiries@asa.org.uk
www.asa.org.uk

28 May 2025
By email

Dear Dame Caroline,

Advertising of less healthy food and drink products

Thank you for writing to me on 15 May on behalf of the Committee.

We recognise the concerns that broadcasters have around the upcoming restrictions on less healthy food advertising. We have engaged with industry, including broadcasters, extensively through the consultation process to produce guidance that provides as much clarity as possible for advertisers on how the rules, which must reflect the law, will be administered. However, since we received your letter, events have moved on at a pace.

As you will know, the Government published a Written Ministerial Statement (WMS) on 22 May 2025, announcing that it intends to make, and lay, a Statutory Instrument (SI) to explicitly make 'brand advertising' exempt from the restrictions. In the WMS, Minister Ashley Dalton explained that the SI will provide legal clarification on this aspect of the existing policy, as it was understood and agreed by Parliament during the passage of the Health and Social Care Bill. To allow time for consultation on that draft SI, another SI will be made and laid first to delay the implementation of the restrictions from 1 October 2025, to 5 January 2026. Meanwhile, the industry has signed up to a voluntary commitment not to run clear-cut LHF ads between 1 October and 5 January.

The WMS, and proposed change to the law (which we have not yet seen, but will soon), obviously have significant implications for both our rules and guidance. Together with Ofcom, we are carefully considering how we respond to the proposed change in law and

Legal, decent, honest and truthful

Chair The Rt Hon the Baroness Morgan of Cotes **Chief Executive** Guy Parker

ASA Council Matt Barwell, Murphy Cobbing, Elizabeth Gordon, Alison Hastings, Claire Hilton, Mark Howe, Rotha Johnston, Richard Lloyd, Kirsten Miller, Rebecca Rumbul, Krystle Sargent and Monisha Shah

The Advertising Standards Authority Limited, registered in England No 733214, Castle House, 37-45 Paul Street, London EC2A 4LS

The Advertising Standards Authority (Broadcast) Limited, registered in England No 05130991, Castle House, 37-45 Paul Street, London EC2A 4LS

what this means for the process to develop and implement our rules and guidance. We will be aiming to produce rules and guidance that provide as much clarity as we can as soon as we can, so industry knows where it is.

We will provide a further update when we know more.

Yours sincerely,

A handwritten signature in blue ink that reads "Guy". The signature is stylized with a cursive-like font.

Guy Parker
Chief Executive, ASA