

BRITISH RETAIL CONSORTIUM (BRC) - WRITTEN EVIDENCE (FDO0087)

About the BRC

The BRC is the lead trade association for UK retail. Our purpose is to make a positive difference to the retail industry and the customers it serves, today and in the future.

Retail is the 'everywhere economy', a vital part of the socio-economic fabric of the UK.

The industry makes up 5% of the UK GDP and is the largest private sector employer, providing 3 million direct jobs and 2.7 million more in the supply chain. Retail has a presence in every village, town and city across the country.

Over 200 major retailers are members of the BRC, with thousands of smaller, independents represented by BRC's trade association members. Together, these businesses operate across all retail channels and categories and deliver over £350 billion of retail sales per year.

We build the reputation of the retail industry, work with our members to drive change, develop exceptional retail leaders, and use our expertise to influence government policy so retail businesses thrive and consumers benefit. Our work helps retailers trade legally, safely, ethically, profitably and sustainably.

Introduction

The evidence set out in the Submission section below covers in more detail our views on defining and labelling food as ultra-processed (UPF) and high in fat, sugar and salt (HFSS), but it is important that any intervention is set within the broader context of delivering an effective obesity strategy.

To deliver change and effectively tackle obesity, we need a UK-wide, consistent approach underpinned by sufficient resources at the national and local level. Each UK Government has responsibility for delivering food strategies, but the impact will only be maximised by coordinating these as closely as possible. Consistent policy and regulation not only support better public health outcomes but help food businesses – many of which

operate UK-wide – to integrate messaging into marketing and communication campaigns and manage the burden and costs of implementation.

It is important to focus on interventions which will make the most difference to public health. Interventions should be directed by sound evidence and regularly reviewed to ascertain their efficacy. In some cases, refinement may be needed – but this will help policymakers to reach informed decisions. As with all policy and regulation, governments should work with industry to help target interventions and improve their implementation, as has been seen through the recent work on Food Data Transparency.

To make a meaningful impact, interventions and campaigns should be properly resourced both nationally and locally. Resources are required centrally to develop and implement the best strategy; this should include the commission of research to inform and prioritise interventions and assess their efficacy. Resources will also be needed to deliver effective communications with consumers and businesses. Locally, resources will be needed to support people seeking help to reduce weight and change diet, and to advise small businesses on the practical changes they can make to improve their offerings.

Submission

Defining ultra-processed food

There is no agreed definition of UPFF, and often UPF and HFSS are used interchangeably. The only established food classification system which meets some of the scientific criteria is NOVA, established by researchers from the University of Sao Paulo in 2009. However, this system is not in practical use in the UK. Some HFSS foods are regarded as UPF (using the NOVA system) and regulation is in place to limit access to such products in retail.

Informally, UPFs are sometimes understood to be foods which contain ingredients not commonly found in household kitchens or which have been produced using industrial processes which cannot be replicated at home.

It is important policymakers understand how a definition of UPF will be received and used by consumers. Many households do not have the time to prepare the majority of their meals – let alone staple foodstuffs which undergo processing, such as butter or bread – from scratch. Introducing the concept of UPF, which is seen as unrealistic and unworkable in the

home, will likely confuse consumers and, as we have seen with previous complex public health messaging, if there is confusion, people are less likely to follow advice.

Defining HFSS food

Retailers have been following and using a definition of foods which could lead to an unbalanced diet for decades. The Nutrient Profile Model (NPM) was introduced in 2004 to help classify foods. The system is not perfect, but it is applicable to most foods in all settings and sets a common approach for businesses to use, which sets a level playing field.

There are, however, still some shortfalls to the NPM system. There is a lack of nuance in some categories and the system does not flex well to products which are naturally HFSS but are included as part of EatWell and wider healthy eating advice. For example, all oils are classified as HFSS, including those which bring health benefits such as sunflower oil. If a product receives a high score on the NPM, no amount of reformulation will make it a non-HFSS product, which can act as a disincentive to reformulation. Some calculations, such as those to establish the quantity of fruit and vegetables in some products, can be complicated. However, these challenges can be overcome; a robust set of guidance, for example, will help improve knowledge.

Classifying foods as HFSS has been adopted as a key and consistent approach by Government in delivering its obesity policy, including its adoption in the Food (Promotions and Placement) Regulations 2021, which determine where food can be displayed in a supermarket and the future restriction on the advertising of HFSS food on TV and online. Although classification requires significant investment by retailers and their suppliers to determine which products are in scope, it brings a consistent approach to policy and effective compliance.

The role of processing in food preparation

Retailers cater for all customers, needs and circumstances, and sell a wide range of food and drink products including fresh fruit, vegetables, meat and fish as well as processed foods. Processing plays an important role in delivering a safe, durable supply chain for consumers. There are important reasons food is processed:

- **To turn raw ingredients into safe, edible foodstuffs**, for example by neutralising dangerous microorganisms in raw ingredients. This is commonly seen in the pasteurisation of milk, for example, whilst processing also inactivates some natural toxins

such as lectins and cyanogenic glycosides.

- **To extend the shelf life of products.** Most consumers don't want to purchase food on a daily basis, so some ingredients are used in food products for the purpose of preservation. Optimising the shelf-life of products gives consumers flexibility and helps to reduce food waste.
- **To reduce or eliminate microbiological risks.** Many treatments used in food production stop or delay microbiological growth which would otherwise lead to food spoilage and products becoming unsafe for consumption.
- **To preserve nutrition composition post-harvest.** Many nutrients rapidly deplete after being harvested or picked, but processes such as deep freezing preserve high levels of these nutrients.
- **To provide consumers with convenience.** Processing helps retailers provide ready to eat meals and individual portion sizes, helping those consumers who don't have the time to prepare food from scratch every day. Retailers have worked hard to optimize the nutritional content of these foods by reformulating to reduce the levels of fat, salt and sugar, as well as clearly labelling them following the Government's recommended nutrient labelling scheme.
- **To improve the composition of food products.** Processing can help reduce the content of fat, sugar and salt and increase the content of fibre and micronutrients. Processes are used to improve food composition by reducing nutrients of concern, in-line with Government guidance. Fortification has supported public health concerns, for example through the addition of vitamins and minerals to wheat flour for bread making.
- **To provide a wider range of options meeting different dietary requirements.** Processing is an important part of the production of some plant-based, special diet and seasonal foods and to mitigate the impact of some components on allergy sufferers.
- **To support innovation which improves sustainability and environmental outcomes.** The use of processing has supported innovation in food production methods, reducing water usage and the amount of packaging required. Indeed, some foods which are recommended as part of more sustainable diets would be regarded

as UPF, such as tofu, vegetable spreads and plant-based milk alternatives.

How can consumers recognise UPF and HFSS foods?

Retailers are committed to helping customers make healthier choices and work to ensure that information is provided in an easy to understand and accessible format. But as there is no agreed definition of UPF, it is difficult to appropriately classify products as been UPF or not, which would create confusion for consumers.

There is recommended dietary guidance on the levels of specific nutrients people should eat and retailers guide consumers to follow the advice set out in the NHS Eatwell Guide through their extensive communications networks which reach both consumers and colleagues. This guidance is also used by health professionals when providing diet advice and is being used to guide work to improve product formulation.

All food labels feature a clear declaration of composite ingredients, including additives which have been used. Labels also include detailed nutrition information, providing values for all nutrients which are recommended to be consumed in moderation, including sugar, salt and saturated fat, and those which people should consume more of, including fibre. This information is often presented in an easy to understand, colour-coded table placed prominently on the front of packs. The provision of this information enables the consumer to make informed choices to support a healthy and balanced diet.

In addition, further information on how a given food product has been produced can be obtained by contacting customer care lines.

Policy tools that could prove effective in preventing obesity amongst the general population, including those focused on the role of the food and drink industry in tackling obesity

Whilst interventions through agreed definitions and labelling will have a role, in the first instance, a comprehensive approach to preventing obesity is required. There have been too many short-lived, standalone campaigns in the past when what is needed is a sustained, collective approach. Retailers already communicate the importance and benefits of a healthy diet with consumers, but this messaging needs to be amplified through other channels and supported by practical measures. Education and culinary skills are crucial to improving diets, for example.

Governments should ensure that all children leave school with the right skills and knowledge to maintain a balanced diet.

It should be noted that previous obesity strategies have relied heavily on voluntary agreements with industry. Retailers have led the way, adopting government recommended nutrition labelling, working toward reformulation targets and supporting initiatives which promote healthier choices. But if we are to effectively tackle obesity and improve public health, governments need to ensure any policy or regulation is universally adopted. A lack of support from the wider food industry has meant progress to date has been limited and not delivered the cultural change needed to help consumers make healthier choices. If the Government believes, based on evidence and following full consultation, the only way to implement change across the whole of the food industry is through regulation, it should act. This will deliver universal change in the food market and ensure a level playing field for all food businesses. It is important that regulation forms part of a wider strategy, is assessed after introduction to ensure its effectiveness and is implemented pragmatically to give businesses time to comply.

Regulation should apply to all businesses, including SMEs and all sectors of the food industry. In the past the Government has not pursued a comprehensive strategy involving all food businesses. However, the Government must address this and recognising the burden SMEs face, should consider support for small businesses at a local level to help them adapt to regulations, but they should not be exempt. Obesity regulation should apply universally, in the same way as other public health regulations such as allergen management.

The cost and availability of UPF and HFSS foods and their impact on health outcomes

Retailers have invested and innovated through clear nutrition labelling, removed thousands of tonnes of sugar from own-brand products and actively promoted healthier choices. In recent years, healthy ranges have been significantly expanded; investment has been made in prices to keep healthier choices affordable; and attention has been paid to ensure that these options are available across all store formats, including convenience stores.

They have also partnered with organisations, charities and schools to support campaigns to educate on the importance of a healthy diet and improve culinary skills. Even through the period of recent high inflation, they have worked to ensure that healthy food remains affordable for all.

We recognise that, in order to bring about an effective change in health outcomes, a change in consumer behaviour is required. One of the

biggest barriers to that change is the price of food and it is possible that some, necessary interventions will increase the cost of food. As food costs disproportionately impact lower income consumers, it is important that Government ensures healthy and sustainable diets remain available to everyone. Consideration should be given as to how consumers are supported, for example by expanding existing initiatives such as the Healthy Start Scheme.

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