



This guidance has been produced by BRC and its members to help businesses further understand the products which are in and out of scope of the provisions of The Food (Promotion and Placement) (England) Regulations 2021. For easiness we have included the text of DHSC's guidance on the Regs. To this, we have added lists of additional products and criteria in all 13 covered categories. This is a life document which will be periodically reviewed.

Version 4: January 2023

CATEGORY	CATEGORY DESCRIPTION	PRINCIPLE	EXAMPLES	KEY EXCLUSIONS	PRODUCT EXAMPLES IN SCOPE	PRODUCT EXAMPLES OUT OF SCOPE	COMMENTARY	OUTSTANDING QUESTIONS
1	Prepared soft drinks containing added sugar ingredients	Soft drinks covered by SDIL (and being HFSS) Powders, syrups, pods, and cordials are all in scope as well as ready to drink products.	<ul style="list-style-type: none"> <li>Soft drinks with added sugar, including lemonades, colas and fruit-based squash drinks</li> <li>Milk-based drinks with added sugar or sweeteners, and milk substitute drinks with added sugar or sweeteners</li> <li>Juice-based drinks with added sugar</li> <li>Fruit juices/smoothies (including with dairy) with added sugar</li> <li>Fermented (yoghurt) drinks with added sugar, defined as a composite milk product obtained by mixing yoghurt with a liquid (milk, water or fruit juice) with or without other ingredients to create a drink (kefir, lassis, pre and probiotic drinks)</li> <li>Breakfast drinks with added sugar</li> <li>Ready to drink tea and coffee containing added sugar before sale</li> <li>Coffee/tea powders (sachets, pods, syrups)</li> <li>2 in 1 (coffee and milk powders)* or 3 in 1 (coffee, milk powder and sugar) containing added sugar</li> <li>Hot chocolate powders, pods, syrups and ready to drink products containing added sugar</li> <li>Malt drink products with added sugar</li> <li>Milkshake powders &amp; milkshake syrups with added sugar</li> <li>Flavoured and unflavoured milk substitute drinks with added sugar</li> <li>Chai latte with added sugar</li> <li>Kombucha with added sugar</li> <li>Energy drinks with added sugar</li> <li>Protein powders with added sugar</li> </ul>	<ul style="list-style-type: none"> <li>Drinks without added sugar, including milk, unsweetened milk-based drinks and unsweetened smoothies</li> <li>Drinks with no added sugar and sweetened with only natural fruit or vegetable juice, including fruit juices</li> <li>Alcoholic drinks and alcohol substitute drinks with more than 1.2% alcohol ABV</li> <li>Infant formula and follow up formula as defined in Reg 609/2013</li> <li>Total diet replacement as defined in foods intended for use in energy restricted diets for weight reduction Regs 1997</li> <li>Food for special medical purposes as defined Regs 609/2013</li> </ul>	<ul style="list-style-type: none"> <li>All smoothies and smoothie blends (including frozen) with added sugar</li> <li>All equivalent products produced with dairy alternatives when with added sugar or sweetener</li> <li>Protein based milkshake with added sugar</li> <li>Low alcohol and no alcohol alternatives with added sugar (unless exempt under SDIL- <a href="https://www.gov.uk/guidance/check-if-your-drink-is-liable-for-the-soft-drinks-industry-levy#alcohol-replacements">https://www.gov.uk/guidance/check-if-your-drink-is-liable-for-the-soft-drinks-industry-levy#alcohol-replacements</a>)</li> <li>Cholesterol lowering drinking yoghurts (Justified by the fact that these products can be reformulated)</li> <li>Hot chocolate with added sugar / sweeteners</li> <li>Kombucha with added sugar (even when the sugar is used for fermentation purposes)</li> <li>Sparkling juice drinks with added sugar</li> <li>Syrups for use in cocktails</li> </ul>	<ul style="list-style-type: none"> <li>Milk (whole, semi and low fat), and all milk alternatives with no added sugar</li> <li>All milk powders, including skimmed milk powder, with no added sugar</li> <li>No added sugar cordial and squashes</li> <li>Meal replacement shakes</li> <li>100% Fruit / vegetable juice with no added sugar</li> <li>Smoothies with no added sugar</li> <li>Coffee beans and granulated coffee</li> <li>Americano and other 100% coffee drinks with no added sugar</li> <li>Soft drinks with no added sugar (include Zero, Diet and NAS versions)</li> <li>All alcoholic drinks with an ABV above 1.2%, including wine, beer, spirits and cocktail mixes</li> <li>Growing up milks (confirmed by DHSC)</li> <li>Medicinal drinks covered by FSG Regs 609/2013*</li> <li>2 in 1 coffee/tea powders (sachets, pods, syrups) - DHSC confirmed that only 'with added sugar' are in scope</li> <li>Artificially sweetened flavoured waters</li> <li>All drink decorations, e.g. dusting powders, sprinkles, etc.</li> </ul>	<p>This category has a much wider scope than its name and the principles. Companies should use the list of products in the example and not the principle provided. The Regs. include all drinks with added sugar (no reference to SDIL, with the exemption of non-alcoholic alternatives)</p> <p>DHSC has clarified that reference to 'sweetener' relates to the definition for intense sweetener in additives legislation (Reg 1333/2008). It does not include ingredients with sweetening properties, e.g. fruit juice</p>	<p>* Foods for Special Medical Purposes (FSMPs) as mentioned in FSG Regs 609/2013 are out of scope (confirmed by DHSC)</p>
2	1. Savoury snacks whether intended to be consumed alone or as part of a complete meal including— (a) products made from potato, other vegetables, grain or pulses; (b) extruded, sheeted, and pelleted products; (c) bagged savoury crackers, rice cakes or biscuits such as crisps, pitta bread based snacks, pretzels, poppadums, salted popcorn and prawn crackers (but not raw, roasted, coated, or flavoured nuts). 2. Pork rind-based snacks whether intended to be consumed alone or as part of a complete meal.	<p>All crisps and products eaten as alternatives or eaten on the same eating occasion as crisps.</p> <p>All sizes, shapes and types of packets are included (i.e. grab bags, multipacks and re-sealable, but other formats of the same products are also covered by the regulations)</p>	<ul style="list-style-type: none"> <li>Crisps</li> <li>Savoury crackers, rice cakes and biscuits sold and eaten as alternative to crisps</li> <li>Corn puffs</li> <li>Potato hoops</li> <li>Tortilla chips</li> <li>Chickpea or lentil-based crisps</li> <li>Fried flavoured or seasoned chickpeas</li> <li>Seaweed-based snacks</li> <li>Bombay mix.</li> </ul>	<ul style="list-style-type: none"> <li>Raw, coated, roasted or flavoured nuts and seeds (or mixes of these products e.g. a mix of nuts and seeds)</li> <li>Fruit based snacks such as dried fruit, fruit crisps or chips (excludes both sweetened and unsweetened fruit ingredients)</li> <li>Trail mix made up of dried fruit and nuts or seeds</li> <li>Meat jerky</li> </ul>	<ul style="list-style-type: none"> <li>Bagged Japanese rice cakes</li> <li>Any variation (baked, fried, puffed or extruded)</li> <li>Fried corn - giant and normal and flavoured.</li> <li>Standard crisps: Sliced potato crisps</li> <li>Extruded: Expanded puffs, direct-extruded, e.g. potato hoops, cheese puffs, onion rings</li> <li>Pelleted: Popped snacks, e.g. complex shaped-snacks, straws, twists, lentil curls, prawn cocktail shells, poppadoms, prawn crackers</li> <li>Sheeted: Formed snacks, e.g. tortilla chips, potato dough-based formed snacks</li> <li>Nuts and fruit mixes with chocolate pieces</li> </ul> <p>[These include some savoury snacks aimed at infants / those not covered in scope of FSG Reg. 609/2013*]</p>	<ul style="list-style-type: none"> <li>Flavoured mixed nuts, e.g. barbequed nuts and honey salted cashews</li> <li>Meat jerky, fish jerky, plant-based jerky and biltong</li> <li>Cheese dippers – on the basis that the biggest volume is the cheese spread and not the bread stick or other potato/grain/pulse-based savoury snack type accompaniment (confirmation received from DHSC *)</li> <li>Savoury crackers, e.g. cream crackers, water crackers, oatcakes and crackers for cheese, crisp breads, breadsticks, cheese twists and rice cakes not eaten as alternatives to crisps (if individually bagged, this may be seen as alternatives to crisps)</li> <li>Plain popcorn kernels</li> <li>Fruit-based (pureed) snacks / confectionery with added sugar - these are covered in category 4 confectionery</li> <li>Savoury pressed seed bars with no added sugar (confirmed by DHSC)</li> <li>Wasabi peas (Confirmed by DHSC)</li> </ul>	<p>Only ambient and products which do not need further processing are covered in this category (criteria used in calorie reduction programme and for taxation purposes)</p> <p>For the purpose of this category peanuts are to be considered as nuts</p> <p>Establishing whether a product is eaten as alternatives or eaten on the same eating occasion as crisps, should be done on a product by product basis. This decision can be informed by the following criteria:</p> <ul style="list-style-type: none"> <li>packaging - e.g. savoury snacks packed in bags for individual consumption (may be in scope)</li> <li>size - is the product bite size, e.g. bagged bite size rice cakes (likely to be in scope) or not, e.g. large size rice cake (likely to be out of scope)</li> <li>placement - e.g. products merchandised with crisps in store (likely to be in scope)</li> <li>consumption - e.g. products which tend to be eaten with a topping/spread (likely to be out of scope), and products expected to be consumed as a meal accompaniment, e.g. large size poppadoms (likely to be out of scope)</li> <li>presentation - e.g. snacks which are a discrete part of a bigger product, e.g. breadsticks with spreadable cheese, tortilla chips and salsa</li> </ul> <p>* This applies to most stackable Lunchables' unless they include a sweet element, e.g. chocolate buttons or small biscuits. That sweet element will bring the products in scope.</p>	<p>*Foods for Special Medical Purposes (FSMPs) as mentioned in FSG Regs 609/2013 are out of scope (confirmed by DHSC)</p>
3	Breakfast cereals including ready to eat cereals, granola, muesli, porridge oats and other oat-based cereals	All products predominantly found in the 'breakfast cereal aisle'	<ul style="list-style-type: none"> <li>Granola</li> <li>Muesli</li> <li>Ready-to-eat cereals</li> <li>Porridge oats including instant porridge and other hot oat-based cereals.</li> </ul>		<ul style="list-style-type: none"> <li>Products like bircher muesli mix which needs further preparation beyond the addition of milk</li> </ul>	<ul style="list-style-type: none"> <li>Cereal bars - these are included under category 7</li> <li>Protein bars - These are included in category 4</li> <li>Toaster pastries - these are included in category 7</li> <li>Breakfast drinks - these are covered in category 1</li> <li>Breakfast toppers, i.e. seed mixes, dried fruit and seed mixes, linseed toppers</li> </ul>		
4	Confectionery including chocolates and sweets.	<p>All products predominantly found in the "confectionery" aisle including chocolate and sweets and free from confectionery products</p> <p>Products marketed as "protein bars"/ "high protein" may fall under this category if they possess the ingredients or other features of a confectionery bar. If their ingredients contain cereals or nuts, they may fall under category 7</p> <p>Products that have features and ingredients that indicate they are a type of confectionery will be determined on a case-by-case basis</p>	<ul style="list-style-type: none"> <li>Sweet popcorn and mixed sweet and salty popcorn</li> <li>Chocolate coated nuts, peanuts, seeds and fruit</li> <li>White, milk and dark chocolate</li> <li>Cooking chocolate</li> <li>Chocolate bars, boxed chocolate</li> <li>Bagged slabs or tubed sweets</li> <li>Jellied fruit sweets</li> <li>Chewing gum</li> <li>Marshmallows</li> <li>Chocolate-covered products, i.e. chocolate-covered pretzels</li> </ul>	<ul style="list-style-type: none"> <li>Dried fruit</li> <li>Sweet coated nuts (other than chocolate covered nuts) e.g. honey coated, syrup coated, carob coated, sweet chilli flavours, and mixes of sweet and salty or savoury</li> </ul>	<ul style="list-style-type: none"> <li>Toffee and candied apples</li> <li>Some protein bars without a cereal component (unless they are a meal replacement) - including balls and products in all shapes - protein bars with cereal component covered in category 7</li> <li>Chocolate/toffee/fudge containing trail mix (non-chocolate containing trail mix is out of scope - category 2)</li> <li>Advent calendars</li> <li>Nut pressed bars with added sugar (Confirmed by DHSC)</li> </ul>	<ul style="list-style-type: none"> <li>Medicated confectionery *</li> <li>Chocolate spread</li> <li>100% Pureed fruit confectionery with no added sugar</li> <li>Yogurt, toffee or fudge covered nuts/seeds/fruit</li> <li>All cake and ice cream decorations (when sold as such) including mini marshmallows, smarties, chocolate and fudge drops and jelly shapes</li> <li>Sugar-free sweets and chewing gum (confirmation received from DHSC)</li> </ul>	<p>If information on whether a products is a chocolate covered biscuit or chocolate confectionery is not provided by the manufacture, retailers will inform their decision based on information provided on the product pack, product presentation and the types of products it is merchandised with. The ratio of chocolate to biscuit will also be used to inform this decision. If chocolate is present &gt;50% the product is likely to be confectionery</p> <p>Whilst the principle of "predominantly found in the confectionery aisle", in-scope products may be found elsewhere in the store and therefore consideration of the product features should be the primary determinant of whether the product is in scope</p> <p>When establishing if a protein bar is in scope, one of the criteria is containing ingredients usually found in confectionery bars. Some of these are:</p> <ul style="list-style-type: none"> <li>chocolate or cocoa</li> <li>toffee and caramel</li> <li>nuggat</li> <li>chocolate, toffee, fudge, yoghurt flavoured coatings</li> </ul>	<p>* Response from DHSC - Our policy intention was for all lozenges to be excluded from the promotions restrictions in alignment with their treatment in the sugar reduction programme. For the purposes of the Food (Promotion and Placement) (England) Regulations, 'lozenges' are not required to include certain medicinal ingredients however they are intended to be consumed for medicinal purposes, for example to sooth a sore throat. Sweets flavoured with mint are considered to be part of the confectionery category. Sugar free chewing gum and sugar free sweets are not in scope</p>
5	Ice cream, ice lollies, frozen yogurt, water ices and similar frozen products.	All dairy and non-dairy ice cream or ice cream alternatives, ice lollies and sorbets.	<ul style="list-style-type: none"> <li>Ice cream tubs</li> <li>Handheld ice cream</li> <li>Ice lollies</li> <li>Choc ices</li> <li>Frozen yogurt</li> <li>Vegan ice cream</li> <li>Sorbets</li> <li>Gelato style ice cream</li> <li>Lactose free ice creams</li> <li>Ice cream desserts e.g. arctic roll</li> <li>Alcohol-flavoured products - i.e. rum and raisin flavoured ice creams that are below 1.2% ABV or alcohol-free</li> </ul>	<ul style="list-style-type: none"> <li>Ice cream 'accessories' such as sauces, sprinkles and other similar cake type decorations or toppings</li> <li>Ice cream wafers (included under cat 7)</li> <li>Alcoholic products</li> <li>Roulade and gateaux (included under cat 9)</li> </ul>	<ul style="list-style-type: none"> <li>Ice pops (sold frozen or liquid (ambient))</li> </ul>	<ul style="list-style-type: none"> <li>Alcohol slushes (ABV &gt;1.2%)</li> </ul>		



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6	Cakes and cupcakes	All types of cakes, ambient and chilled, including cake mixes	<ul style="list-style-type: none"> <li>All sponge cakes</li> <li>Cupcakes</li> <li>Cake bars and slices</li> <li>Doughnuts</li> <li>American muffins</li> <li>Flapjacks</li> <li>Swiss rolls</li> <li>Brownies</li> <li>Tray bakes</li> <li>Cream cakes</li> <li>Mini rolls</li> <li>Eclairs</li> <li>Frozen cakes</li> </ul>	Cake decorations, including icing and sauces	<ul style="list-style-type: none"> <li>Morning goods &amp; cake hybrids (cronut, duffin, yumnut, scuffin, brookies, baissant, croclair)</li> <li>All cake mixes</li> </ul>	<ul style="list-style-type: none"> <li>Pastries without cream or other filling - these are included in category 8</li> <li>Tarts and gateaux - these are included in category 9</li> <li>Cookies - these are included in category 7</li> <li>All cake decorations (when sold as such) including mini marshmallows, confectionery covered chocolate drops, chocolate and fudge drops and jelly shapes</li> <li>Ingredients /components for cake making, i.e. sponge fingers (consistency with puddings)</li> <li>Icing and frosting</li> <li>Plain ready rolled pastry</li> </ul>		
7	Sweet biscuits and bars based on one or more of nuts, seeds or cereal	Includes all sweet biscuits (filled and unfilled) and chocolate bar biscuits, including flour-based and 'free-from' products. Also includes sweet bars based on one or more of the ingredients: nuts, seeds or cereal. This includes products that are akin to a 'classic' cereal bar product, whether they are in the shape of a bar or otherwise. Products marketed as 'protein bars' may be considered under this category if their ingredients contain cereal, nuts or seeds. All sizes, shapes and types of packets are included (i.e. tins and trays, multipacks and re-sealable bags).	<ul style="list-style-type: none"> <li>Cereal bars (cereal bars may be similar shaped to a chocolate bar, made of cereals and typically other ingredients such as fruit and nuts, but can also include nut and seed-based bars).</li> <li>Toaster pastries</li> <li>Sweet flavoured rice or corn cakes</li> <li>Filled and unfilled sweet biscuits</li> <li>Breakfast biscuits</li> <li>Shortbread</li> <li>Ice cream wafers and cones</li> <li>Coated chocolate biscuit bars.</li> </ul>		<ul style="list-style-type: none"> <li>Cookie doughs</li> <li>Cookie and biscuit mixes</li> <li>All sizes and shapes of sweet biscuits</li> <li>Protein bars with a cereal component</li> <li>Cereal bars, include muesli and granola bars</li> <li>Cereals bars with fruit (confirmed by DHSC)</li> </ul>	<ul style="list-style-type: none"> <li>Savoury biscuits, crackers and savoury rice cakes - some of these fall under category 2 and others are out of scope</li> <li>100% fruit bars (no added sugar) and fruit and nut bars (no added sugar)</li> </ul>	<p>If information on whether a products is a chocolate covered biscuit or chocolate confectionery is not provided by the manufacture, retailers will inform their decision based on information provided on the product pack, product presentation and the types of products it is merchandised with. The ratio of chocolate to biscuit will also be used to inform this decision. If chocolate is present &gt;50% the product is likely to be confectionery</p> <p>NPM for products like mixes (that need to be reconstituted before consumption) should be calculated as consumed and for products like raw dough e.g. cookie dough they are calculated as sold</p>	
8	Morning goods, including croissants, pains au chocolat and similar pastries, crumpets, pancakes, buns, teacakes, scones, waffles, Danish pastries and fruit loaves.	Includes sweet pastries and buns, morning good mixes e.g. pancake mixes and "ready to bake"/ "bake at home" products, fruited bread products.	<ul style="list-style-type: none"> <li>Danish pastries</li> <li>Proissants</li> <li>Pains au chocolat and similar pastries</li> <li>Crumpets</li> <li>Pancakes</li> <li>Buns</li> <li>Teacakes</li> <li>Scones</li> <li>Waffles</li> <li>English muffins</li> <li>Bagels (plane and sweet)</li> <li>Fruit loaves</li> <li>Hot cross buns</li> <li>Fruited and sweet non-fruited buns (including iced buns)</li> <li>Brioche</li> <li>Malt loaf (both sweetened with sugar or fruit)</li> </ul>	All other savoury bread products not mentioned in the examples	<ul style="list-style-type: none"> <li>Brioche burger buns</li> <li>Brioche hot dog buns</li> <li>Frozen-to-be baked pastries</li> <li>Savoury scones and hot cross buns (confirmed by DHSC)</li> </ul>	<ul style="list-style-type: none"> <li>All other savoury bread products not mentioned in the examples including savoury, non-sweetened/non-enriched breads</li> </ul>	Although the principle only covers sweet products, DHSC has confirmed savoury scones and hot cross buns are in scope	
9	Desserts and puddings, including pies, tarts and flans, cheesecake, gateaux, dairy desserts, sponge puddings, rice puddings, crumbles, fruit fillings, powdered desserts, custards, jellies, and meringues	Includes all types of ambient (including canned), chilled and frozen puddings and dessert mixes. Includes 'free-from' products	<ul style="list-style-type: none"> <li>Sweet pies, i.e. apple pie, mince pies</li> <li>Tarts and flans</li> <li>Cheesecake</li> <li>Gateaux</li> <li>Dairy desserts</li> <li>Sponge puddings</li> <li>Rice pudding</li> <li>Crumbles</li> <li>Fruit fillings</li> <li>Roulade</li> <li>Powdered desserts mixes</li> <li>Custards</li> <li>Jellies</li> <li>Meringue desserts</li> <li>Choux pastry desserts</li> <li>Mousses</li> <li>Christmas pudding</li> <li>Trifle</li> <li>Roly poly</li> <li>Dessert pizzas</li> </ul>	<ul style="list-style-type: none"> <li>Creams i.e. whipped cream and flavoured or sweetened creams</li> <li>Syrups</li> <li>Condensed caramel</li> <li>Dessert toppings and sauces</li> <li>Plain, unfilled meringue nests</li> <li>Sponge fingers sold as a component to make a dessert</li> <li>Tinned or canned fruit</li> </ul>	<ul style="list-style-type: none"> <li>Cream based puddings, e.g. tapioca, semolina and macaroni pudding</li> </ul>	<ul style="list-style-type: none"> <li>Condensed milk</li> <li>Evaporated milk</li> <li>Nondairy/plant based creams, e.g. non dairy whipped cream and flavoured/sweetened creams</li> <li>Fruit in syrup (unless specifically presented as 'a fruit filling, because it can be consumed on its own)</li> <li>Savoury batter mixes e.g. yorkshire pudding mix</li> <li>Honey</li> <li>Plain ready rolled pastry</li> </ul>	Desserts and puddings of all sizes, including small versions are covered in this category	
10	Sweetened (whether with sugar or otherwise) yogurt and fromage frais	Includes dairy and non-dairy alternatives (such as soya, oat, goat, sheep products)  Includes yoghurt that are sweetened using sweeteners, sugar or fruit ingredients  Excludes natural sweetened yoghurt and unsweetened fromage frais	<ul style="list-style-type: none"> <li>Flavoured greek-style yogurts</li> <li>Probiotic yogurts</li> <li>Split yoghurt or twin chamber pots</li> <li>Kids' yogurts</li> <li>Fat free and low-fat yogurts</li> <li>Dairy free yogurts</li> <li>Fromage frais</li> <li>Drinking yogurts (defined as a drinkable product that meets the definition for yogurt, with no additional liquids (milk, water, fruit juice))</li> </ul>	<ul style="list-style-type: none"> <li>Natural yogurt and unsweetened yogurt and fromage frais including plain Greek yogurt.</li> </ul>	<ul style="list-style-type: none"> <li>Yoghurts sweetened with fruit pureed</li> <li>Sweetened natural yoghurts, both dairy and plant based (including those with very small amounts of added sugar, e.g. some natural coconut yoghurts)</li> </ul>	<ul style="list-style-type: none"> <li>Non dairy/plant based unsweetened natural yogurt and unsweetened yogurt and fromage frais</li> <li>Yogurt and dairy drinks - these are covered in category 1</li> </ul>	<p>Drinking yoghurt is a thinner consistency yoghurt, often presented in a tube, pouch or bottle.</p> <p>In contrast a yoghurt drink contains added ingredients, e.g. water, juice</p>	
11	Pizza (except plain pizza bases).	This includes all chilled and frozen varieties of pizzas	<ul style="list-style-type: none"> <li>Deep pan, deep dish, thin crust, stuffed crust pizzas</li> <li>All topping varieties and all sizes</li> <li>Flatbread pizzas</li> </ul>	<ul style="list-style-type: none"> <li>Plain pizza bases</li> <li>Garlic bread and cheese garlic bread and loaded varieties</li> </ul>	<ul style="list-style-type: none"> <li>Calzone</li> <li>White sauce pizza</li> </ul>	<ul style="list-style-type: none"> <li>Flatbreads - plain and with additions (but not those topped like a pizza)</li> <li>All bread-based products - plain and with additions</li> </ul>		



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12	Roast potatoes, potato and sweet potato chips, fries and wedges, potato waffles, novelty potato shapes (such as smiley faces), hash browns, rostis, crispy potato slices, potato croquettes	Includes potato and sweet potato products  If a product is not mentioned in the category 12 description of the regulations and it does not fall into one of the other categories then it is out of scope of the policy	<ul style="list-style-type: none"> <li>Roast potatoes</li> <li>Potato and sweet potato chips</li> <li>Fries and wedges</li> <li>Potato waffles</li> <li>Novelty potato shapes (such as smiley faces)</li> <li>Hash browns</li> <li>Costis</li> <li>crispy potato slices</li> <li>Potato croquettes.</li> </ul>	<ul style="list-style-type: none"> <li>Plain potatoes or sweet potatoes that are not treated, cooked, cut or shaped</li> <li>whole, slices or mashed potatoes with butter</li> <li>potato salads</li> </ul>		<ul style="list-style-type: none"> <li>Potato and vegetable mixed products aimed to be consumed as a side</li> <li>Mashed potato including instant mash</li> <li>Mash potato with additions, i.e. cheese, cabbage</li> <li>Dauphinoise potatoes</li> <li>Parmentier potatoes</li> <li>Potato gratin</li> <li>Bombay potatoes</li> <li>Patatas bravas</li> <li>Sag aloo</li> </ul>	<p>All products not included in the examples, are out of scope of this category</p> <p>This category includes products sold frozen, chilled and ambient</p>	
13	<p>Any of the following:</p> <p>1. Products that are marketed as ready for cooking or reheating without requiring further preparation and intended to be consumed as a complete meal.</p> <p>2. Products, other than products that contain pastry, in or with a sauce (but not a marinade, glaze, dressing, seasoning or similar accompaniment) that are marketed as ready for cooking or reheating without requiring further preparation and intended to be consumed as the main element of a meal.</p> <p>3. Breaded or battered— (a)Vegetable, fish, shellfish, meat, or poultry products; (b)Substitute fish, shellfish, meat or poultry products, including fish fingers, fish cakes, chicken nuggets and breaded meat substitute.</p>	<p>This category is generally intended to cover those products that are to be consumed as the main meal, including - ready meals: products that are marketed as a meal that is ready for cooking or reheating without requiring further preparation and which include a carbohydrate accompaniment or a carbohydrate main element (whether or not it contains a protein element) - meal centres. The main element or focus of a meal, but not a complete ready meal. It is the sauce and the fact that it does not contain a carbohydrate element that defines these "meal centre" type products.</p> <p>- breaded and battered products including fish fingers, fish cakes, chicken nuggets and breaded meat substitutes</p>	<ul style="list-style-type: none"> <li>Ready meals - prepared meals (often suggested for heating in the microwave or oven) such as Chinese, Thai, Italian, traditional and so on, with carbohydrate accompaniment (potato, rice, noodles, pasta, etc) made from meat, poultry, fish, meat alternatives or vegetables. Includes filled/stuffed pasta (e.g. ravioli and tortellini) whether chilled or tinned. Includes dishes such as vegetable curries, dhal and other dishes that can be consumed as a meal. Potato topped pies are included in this category as are burgers in a bun, and fries, chips or wedges with toppings ('dirty fries' or 'loaded fries'), and filled jacket potatoes</li> <li>fresh pasta, rice or noodles with added ingredients and flavours, including filled or stuffed pasta (i.e. ravioli and tortellini)</li> <li>meal centres - prepared meal centres (often suggested for heating in the microwave or oven) such as Chinese, Thai, Italian, traditional and so on, without a carbohydrate accompaniment made from meat, poultry, fish, meat alternatives or vegetables. Includes products served in a sauce or with a sauce as part of the product e.g. in a packet or sachet intended to be poured on during or after heating.</li> <li>battered or breaded products (fresh/chilled or frozen)- includes a number of products that might be consumed as the main element of such a meal such as fish fingers, chicken nuggets, battered fish, fish/chicken goujons, breaded meat substitutes, scampi, kiev, breaded chicken fillets, 'lightly dusted' products, cereal coated products and gluten free alternatives.</li> </ul>	<ul style="list-style-type: none"> <li>Retail meal kits e.g. fajita/enchilada meal kits</li> <li>breaded/battered cheese-based products (these are considered as starters/side dishes)</li> <li>dried noodles</li> <li>breaded ham.</li> <li>savoury pastry products are not subject to the restrictions and are not considered meal centres. These include all ambient, chilled and frozen processed and ready to eat, on the go such as meat, fish, vegetable, meat alternatives pastry pies, pasties, sausage rolls, tarts, tartlets, quiches, slices, lattices, plaits.</li> <li>meat/poultry/fish/shellfish/meat alternatives either served plain or smoked or with a marinade, glaze, dressing, seasoning rub or similar accompaniment.</li> <li>"Meat" includes meat and processed meat products such as ham, bacon, sausages, gammon, chicken thighs, grills, burgers and steaks.</li> <li>meats/fish/shellfish/meat alternatives that are plain e.g. raw plain chicken breasts or have been smoked e.g. smoked meat and fish or are processed meats e.g. ham, salami and bacon.</li> <li>onion rings and other battered/ breaded products eaten as a side dish.</li> <li>canned spaghetti, other pasta in tomato sauce</li> <li>baked beans.</li> </ul>	<ul style="list-style-type: none"> <li>Stuffed pasta (fresh, frozen, canned)</li> <li>Corndogs</li> <li>Breakfast in a can, e.g. beans, sausages and egg</li> <li>Baked beans with additions, e.g. meatballs</li> <li>Pasta with additions in a can, including stuffed pasta, e.g. ravioli in tomato sauce, spaghetti with sausages in a can</li> <li>Pasta with cheese sauce in a can</li> </ul>	<ul style="list-style-type: none"> <li>Sushi</li> <li>All sandwiches, including those intended to be consumed hot</li> <li>All salads, including pasta, rice and grain based (all sizes)</li> <li>All soups (fresh, canned, dried soup in a cup, etc)</li> <li>All plain, uncooked, not-stuffed pasta (fresh or ambient)</li> <li>Scotch eggs (all sizes)</li> <li>Burger patties (burgers in a bun are in scope)</li> <li>Sausages</li> <li>Spreads, sauces, and dips, e.g. hummus, salsa, nacho cheese, sour cream, mayonnaise</li> <li>Smoked salmon or trout slices, carpaccio</li> <li>All small bites, side, starters, canapes or savoury party food (a number of factors including size, serving suggestion, product name and presentation, will be used to establish if the product is a main meal (in scope) or not (out of scope)), i.e. mini burgers, tempura prawns, mozzarella sticks, dumplings, bite size toad on the hole, beef wellington bites, savoury tartlets (confirmed by DHSC)</li> <li>Dim sum</li> <li>Gyozas</li> <li>Savoury pastry products, including meat, chicken, fish and vegetarian alternatives 'en crouste'</li> <li>Stuffed poultry, e.g. whole bird, breasts, thighs, etc.</li> <li>Fish in a can, e.g. sardines in tomato sauce, tuna in oil, etc.</li> <li>Slices cold meats, e.g. cooked sliced ham, chorizo, salami, etc.</li> <li>Mugshots / dehydrated soups</li> <li>Spanish omelette</li> <li>Baked beans (all flavours, e.g. curry, Thai) (beans with additions are in scope)*</li> <li>Canned pasta in tomato sauce, e.g. spaghetti hoops, spaghetti in tomato sauce*</li> </ul>	<p>All products in this category are typically eaten hot</p> <p>Products like burgers in a bun are in scope but small versions - mini burgers- are out of scope since they are not intended to be consumed as a main meal.</p> <p>Products in or with a sauce are in scope - However if a sauce is intended to be absorbed into the food before or during cooking so that, after cooking or heating the food, no significant liquid remains to be poured over this food - that product would not be considered as a product 'in' or 'with' a sauce. This is to be established on final product, i.e. barbeque ribs are sold covered in sauce, but all the sauce is absorbed during cooking - no significant liquid remains - they are therefore out of scope. A small amount of butter (sometimes with herbs) accompanying a piece of fish or meat does not constitute a sauce - these products are out of scope.</p> <p>Lightly dusted products are in scope but seasoned products are out - the difference is the quantity of flour used</p> <p>Breaded and battered vegetables - it could be difficult to establish which of these products are aimed to be consumed as an alternative to an animal protein product (meal centre) or as a side dish - This is to be established by the retailer / manufacturer</p>	<p>* DHSC response - Spaghetti hoops in tomato sauce and canned baked beans – it was not our policy intention to include these products in scope of the restrictions as they are generally not considered to be a full meal; this is in alignment with the sugar and calorie reduction programmes</p>
	PRODUCTS OUT OF SCOPE					<p>Vitamins and mineral supplements, and other food supplements, if not in the form of sweets or other products described in the regulations - DHSC has confirmed all products covered in the scope of Directive 2002/46/EC are out of scope irrespective of presentation (confirmed by DHSC)</p>		