

<b>MINUTES</b>	Ref: NWG/24/004
Meeting date: 16 January 2024	
Group Meeting: Nutrition WG meeting	
Location: Teams	

## ATTENDEES

Hayley Marson	Morrisons
Claire Foden	Iceland
Rachel Bradford	KFC
Ellie Howard	Asda
Sophie Rose	Asda
Bryonie Hollaert	Co-op
Laura Farrell	Tesco
Miranda Shelley	Lidl
Selina Patel	Sainsbury's
Vicky Pennington	Boots
Emer Lowry	Waitrose
Amanda Gillies	Spar
Orla Prendiville	Starbucks
Katie Hipwell	Starbucks
Mandeep Rana-Burke	Subway
Andrea Martinez-Inchausti	BRC

### 1. FOP EXEMPTIONS

The group discussed the draft proposal on the products in which front of pack may not be used.

<https://brc.org.uk/media/684110/nwg24002-front-of-pack-inclusion-exemptions.docx>

Several suggestions were made:

Many members have lists of the specific products exempt in the internal policies. It was felt that including a list of products under each one of the 3 identified columns would be helpful.

The group felt the entry for temporary and seasonal exemptions was not justified. Some of these products will be exempted under 'gifting'.

The reference to baby foods should be changed to children foods.

Review the list of products against FSA guidance produced years ago.

Review the language used, e.g. references to policy. The document should have an introduction explaining the document has been put together after considering and comparing individual retailers policies and it aims to help retailers achieve more consistency. There is nothing stopping companies from using FOP in any of these products.

The language used should be understood by different functions in the business, not only nutritionists.

These comments will be reflected in the document and a new version will be shared with this group and with the Labelling & Legislation WG.

## **2. LABOUR HEALTH PLAN**

The Labour Government recently made an announcement about their plans for health if they become the next Government.

<https://labour.org.uk/updates/press-releases/starmer-pledges-the-healthiest-generation-of-children-ever-as-labour-launches-child-health-action-plan/>

Within the currently announced plan, the only nutrition policy referenced is their intention to continue to implement the provisions on advertising.

Historically a Labour administration has always been more interventionist. There has been talk about further taxation or a levy. A public health levy is currently being discussed in Scotland.

## **3. HFSS**

No further queries have been received on products in or out of the scope of the HFSS placement and promotions Regulation. The group agreed there was no need to review the guidance at the moment. We may need to review them when the secondary legislation on advertising covering the foodstuffs in scope is published.

On the NPM, it was felt it would be worth writing to DHCS again and highlight the issues we have already raised with the, but which have not been resolved, e.g. wrongly worked out examples and gravity. Companies which are not part of a trade organisation are unlikely to know some of these elements are incorrect.

The application of the advertising provisions will raise issues again.

As well as addressing the elements which are incorrect and make the guidance clearer for all companies using them, DHSC should appoint someone which companies can contact when they encounter an issue, or for help.

BRC will write to DHSC again with these issues.

#### **4. OOH – healthfulness assessment**

Most out of home members had been contacted by Action on Salt/Sugar requesting nutrition information on their top ten products. They are looking to assess and compare product healthiness.

A member explained they had had a conversation with them. Most businesses publish nutrition information; this is generally done on a per portion basis. The information per 100g or the portion size is not normally provided. The NGO was of the understanding that companies would misrepresent food, e.g. claiming the product was not HFSS, by playing with the portion size.

The risk of not providing the information is they could misrepresent data.

Most members had declined the request to provide information. They have gone back to them and suggested the information on the website is used. Members do not want to provide the information because there is no trust in the relation with the NGOs or how are they going to treat the information.

#### **5. AOB**

A member brought up that a pizza supplier had claimed they use kitchen samples for BOP nutrition for all the retailers they supply. All the retailers at the meeting clarified they specify that samples must be taken from a production run, to get a representative sample. Usually, three samples are taken; one at the beginning, in the middle and at the end of the run.