

Applying an updated Nutrient Profiling Model to the Promotions and Advertising Restrictions

Lead department	Department of Health and Social Care
Summary of proposal	The proposal is to apply the 2018 UK Nutrient Profiling Model (NPM) to determine 'less healthy' products within existing promotions and advertising restrictions.
Submission type	Options Assessment 25 th November
Legislation type	Secondary legislation
Implementation date	To be confirmed
RPC reference	RPC-DHSC-25098-OA(1)
Date of issue	07 January 2026

RPC opinion

Rating¹	RPC opinion
Fit for purpose	The Department has provided clear evidence on the harms caused by obesity and how it relates to the proposed intervention. The OA includes a long list of six options of which three are carried forward to the short-listing stage. The Department has carried out careful monetisation of the short-listed options and discussed limitations to the analysis and non-monetised impacts. A highly detailed monitoring and evaluation plan is included in the OA.

¹ The RPC opinion rating is based only on the robustness of the rationale, options identification (including SaMBA) and justification for preferred way forward, as set out in the [Better Regulation Framework guidance](#). RPC ratings are fit for purpose or not fit for purpose

RPC summary

Category	Quality²	RPC comments
Rationale	Green	The OA contains extensive evidence on harms caused by obesity, evidencing how changes to product placement and promotions can reduce this harm.
Identification of options (including SaMBA)	Green	The Department identify a long list of six options representing a reasonable range of interventions. Existing exemptions for small and medium sized businesses included in the original regulations will continue to apply.
Justification for preferred way forward	Green	The OA includes detailed monetisation of the short-listed options. While the preferred option does not represent the highest NPV the Department have clearly set out their justification for choosing the less regulatory option in line with wider Government objectives.
Regulatory Scorecard	Good	The Department have carried out extensive monetisation of the costs and benefits of the proposed regulation and fully explain the limits and uncertainty of their analysis. Where monetisation is not possible, wider non-monetised implications are also discussed.
Monitoring and evaluation	Good	The Department sets out a detailed monitoring and evaluation plan including details on how the required data will be collected.

² The RPC quality ratings are used to indicate the quality and robustness of the evidence used to support different analytical areas. The definitions of the RPC quality ratings can be accessed [here](#).

Response to initial review

As originally submitted, the OA was not fit for purpose for one reason:

1. The Department provided extremely limited justification for why long-listed options were not carried forward.

The Department has now:

1. restructured the long and shortlist sections to improve the narrative;
2. added additional detail to the justifications for not taking forward long list options;
3. included critical success factors;
4. undertaken a qualitative assessment on the potential costs / benefits of the long list. This is supported by consideration of products coming into scope through the proposed regulatory changes;
5. summarised quantitative estimates for the short list.

Summary of proposal

The government intends to update the UK Nutrient Profiling Model (NPM) 2004/5, which underpins restrictions on advertising and promoting food and drink products high in saturated fat, salt or sugar (HFSS). The current model no longer reflects the latest scientific advice or the revised dietary recommendations from the Scientific Advisory Committee on Nutrition (SACN), particularly on free sugars and fibre.

The proposal is to adopt the updated NPM 2018 within the existing regulatory framework for advertising and promotions. This change will ensure that products high in free sugars—such as desserts, yoghurts, breakfast cereals and juice-based drinks—are brought into scope of restrictions, reducing children’s exposure to less healthy products and supporting wider public health objectives. The update is expected to deliver benefits in tackling childhood obesity, lowering risks of diet-related illnesses, and reducing dental decay.

Implementation will be through secondary legislation amending the Advertising (Less Healthy Food Definitions and Exemptions) Regulations 2024 and the Food (Promotion and Placement) (England) Regulations 2021. The government plans to consult on these changes before they come into force.

Rationale

Problem under consideration

The OA provides comprehensive evidence of the prevalence of obesity and harm it causes. Further evidence is provided linking obesity to consumption of ‘less healthy’ food and drink and demonstrating that factors like product placement can lead to more consumption of these products.

Argument for intervention

The OA explains that changes to the NPM were made by an expert group following the 2018 consultation and that there is a need to bring the regulations in-line with the latest guidance.

Objectives and theory of change

The Department sets out a high-level objective of reducing childhood obesity. This is then broken down into specific outcomes from the policy intervention involving reducing children's exposure to and overconsumption of less healthy foods; shifting the balance of promotions towards healthier options and levelling the playing field so that businesses are not penalised for making voluntary progress. The readability of the OA would be improved by focussing more directly on the aims of this policy intervention rather than wider policy objectives.

Identification of options (inc. SaMBA)

Identification of the 'longlist' of options

The OA includes a longlist of six options, including a 'do nothing', and a summary of how they were developed. The options all consider changes increasing or decreasing the coverage of the regulations in addition to updating to the 2018 NPM.

While the options analysis focuses on applying the 2018 UK Nutrient Profiling Model, the Department could also have considered alternative nutrient profiling models, such as the WHO Europe model or the Pan American Health Organisation model (which incorporates an assessment of ultra-processed foods), to support alignment.

Consideration of alternatives to regulation

As the proposal is updating existing regulations, no non-regulatory approaches are considered.

Justification for the shortlisted options

Three of the options are taken forward to the shortlist, including the 'do nothing'. The OA includes a logic model, a set of SMART objectives and a list of five critical success factors alongside a detailed description of why each long-listed option was not carried forward. The OA could have benefitted from more explicitly linking the assessment of long listed options to the critical success factors.

SaMBA and medium-sized business (MSB) assessment

The OA provides a summary of the decision on coverage of business set out in the original regulations, with both small and medium businesses exempted from the advertising regulations and small businesses exempted from the promotions regulations unless they were part of a symbol group (a larger organisation that provides support to small stores including on promotions and stock decisions). In addition stores under 2,000 feet were exempted from the promotions regulations, as this is the size at which stores tend to have distinct checkout and front of store areas. Sufficient discussion is provided to justify not reconsidering the scope of the policy.

Justification for preferred way forward

Appraisal of the shortlisted options

The Department consider three shortlisted options.

1. Do nothing
2. Apply the NPM 2018 to the promotions and advertising regulations (Preferred)
3. Apply the NPM 2018 and update product categories

The Department has carried out a thorough assessment of the shortlisted options including full monetisation of costs and benefits.

Selection of the preferred option

The OA identifies option 2 as the preferred option. While option 3 has a higher NPV it is not recommended due to imposing higher regulatory costs to business which would not be in-line with wider Government objectives. The Department also notes that they will consult on both options 2 and 3.

Regulatory Scorecard

Part A

Impacts on business

The OA includes a comprehensive assessment of the costs to business including monetisation of the majority of the costs.

The OA notes that the policy will have a negative impact on business with an EANDCB of £164.9 million. The majority of this cost is a £2.89bn loss of profits over the 25-year appraisal period although this will be partly offset by a £1.43bn indirect benefit from increased sales of healthier foods.

Impacts on households, individuals or consumers

The OA includes a comprehensive assessment of the impacts on individuals including monetisation of the majority of the impacts. The Department have estimated the impact the changes would have on obesity-related morbidity and mortality and provided monetised estimates of how this would impact on individuals using the QALY framework. The Department does well at monetising benefits through this approach while also acknowledging its uncertainties and limitations.

Distributional impacts

While the Department has not been able to model any distributional impacts they provide a discussion of evidence on diet and purchasing habits by socio-economic group. They conclude that while impacts are uncertain, adverse distributional impacts are unlikely and all groups are expected to benefit.

Non-monetised impacts

While the majority of impacts have been monetised the Department clearly sets out the more uncertain impacts that have not been monetised, such as possible loss of utility for consumers of consuming less unhealthy foods.

Part B

Business environment

The OA correctly identifies that the policy may have a negative impact on the business environment.

Natural capital and decarbonisation

While the measure is not expected to have any significant impacts on natural capital and decarbonisation, the Department do identify a small potential impact of promotions on less healthy products that are used to sell products close to expiry.

Monitoring and evaluation

Monitoring and evaluation

The OA sets out a detailed monitoring and evaluation plan for the NPM 2018 updates as well as referencing existing monitoring and evaluation plans for the underlying policies.

Data collection

The OA includes detail information on the data that will be needed to review the policy and how the Department will go about collecting it.

Post-implementation review (PIR)

The Department set out their intention to carry out a PIR in the fourth year of the policy evaluating its impact in the first three years.

Regulatory Policy Committee

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