



# Promotion and placement restrictions for products High in Fat, Salt or Sugar (HFSS) in Scotland.

**fdf** Scotland

## What are the restrictions?

From 1st October 2026, the promotion and placement of certain products within retail stores in Scotland will be restricted, with additional restrictions for the online advertising of such products. The aim of the regulations is to minimise the promotion of food and drink products classified as being High in Fat, Sugar, and Salt (HFSS) to create healthier food environments. [Find the full regulation implementation guidance here.](#)

## Will my product be affected?

Products qualify as being in-scope of restrictions if they are:

- in one of the 13 categories of food and drink shown on this page
- are also prepacked
- are classified as being HFSS by their Nutrient Profile Score
- and are sold in a qualifying retail environment

### Nutrient Profile Model (NPM)

The Nutrient Profile Model generates a score for a product based on the balance of nutrients that are particularly important in children's diets (fruit/veg/nuts, fibre and protein) with components in the food that children should eat less of (energy, saturated fat, sugars and sodium). This legislation uses the 2004/05 model.

A product is classified as HFSS if it scores:

>3 if a food product

>0 if a drink product

The guidance for calculating the NPM score can be found [here](#).

An online NPM calculator developed by the University of Leeds [can be found here](#).

## Does my store qualify?

Qualifying products are only restricted in retail environments that meet certain criteria, based on the size of the store and employee count.

A store will be in scope of both Location and Volume Price Promotions if:

- the retail business employs 50+ employees across the full organisation
- and the store floor space is greater than 2000 square feet (185.8m<sup>2</sup>)
- stores that employ 50+ employees across the total organisation but have a floor space of less than 2000 square feet (185.8m<sup>2</sup>) are exempt of the location restrictions but are in scope of Volume Price Promotions.

Manufacturers that sell directly to customers with a physical retail space such as a factory shop, may be in scope based on their employee count and the retail floor space.

Businesses that only sell food to other business and not directly to consumers are not in scope of retail restrictions. A specialist store that only or mainly sells food from a single category in the schedule may be exempt from location restrictions only.

Free refills on sugar sweetened beverages served in the out of home environment are also banned.

There are also rules on what advertisements can be used on the internet, on TV, and on demand before 9pm across the UK. Find the UK wide regulations on restricting advertising of less healthy food or drink [here](#).

## Categories impacted

Products within these 13 categories, that are also classed as 'HFSS' by their NPM score, will be in-scope of the regulations:

1. Soft drinks with added sugar
2. Savoury snacks
3. Breakfast cereals
4. Confectionery, including chocolate and sweets
5. Ice cream, ice lollies, frozen yoghurt, water ices and similar frozen products
6. Cakes and cupcakes
7. Sweet biscuits and bars based on nuts, seeds or cereal
8. Morning goods
9. Desserts and puddings
10. Sweetened yoghurt and fromage frais
11. Pizzas
12. Chips and potato products
13. Ready meals, meal centres, breaded and battered products

There are also rules on what advertisements can be used on the internet, on TV, and on demand before 9pm across the UK. [Find the UK wide regulations on restricting advertising of less healthy food or drink here.](#)

## What are the restrictions?

### Online restrictions

Qualifying products cannot be advertised or promoted in the following online areas:

- Pop ups
- Home page
- Checkout page
- Favourites page
- As part of volume price promotion
- When other items are searched for

### In Store restrictions

Qualifying products sold in qualifying stores cannot be included in Volume price promotions such as:

- Buy one get one free
- 3 for 2
- 6 for £4
- 50% extra free
- Loyalty points initiatives
- Free refills of drinks (in out of home venues)

### Location restrictions

Stores with a floorspace greater than 2000ft<sup>2</sup> (185.8m<sup>2</sup>) cannot place qualifying products in the following locations:

- Within 2 metres of a checkout or queuing area
- Aisle ends
- Store entrance zone
- Covered external areas

## Glossary

### Prepacked

'Prepacked food' means any single item for presentation as such to the final consumer and to mass caterers, consisting of a food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, but in any event in such a way that the contents cannot be altered without opening or changing the packaging;

This does not cover foods packed on the sales premises at the consumer's request or prepacked for direct sale.

### Store floorspace

The regulations describe where qualifying businesses must not present specified food inside a physical store. To calculate relevant floor area please refer to [section 6](#) of the guidance for details on qualifying floor space.

### Employee count

This is the total number of staff employed by the full company, across the UK or globally. Businesses operating under a franchise or symbol group must count the full employee count of the named organisation not just the staff employed at their single store.

Retail businesses with more than 50 staff but floorspace of less than 2000ft<sup>2</sup> (185.8m<sup>2</sup>) are exempt from location restrictions, but remain in scope of the volume price promotion restrictions and the free refill restrictions where relevant.

There is no exemption for products based on manufacturer employee count.

**Full definitions can be found within Annex B on this page.**

## Checklist. Have I checked...

☐

Is the product in one of the 13 categories?

☐

Is the product classed as HFSS by its NPM score?

☐

Is the product sold in an in-scope store?

☐

Is the product advertised in an in-scope online format?