

New advertising and promotion regulations for products high in fat, salt or sugar (HFSS) - What you need to know

What restrictions are coming into force?

From 1 October 2022, there will be [new rules](#) which restrict where you can place certain products in a retail store (and equivalent online locations). In October 2023, the rules will be expanded to prevent multibuy offers on certain products. The regulation applies only in England, but in 2022 there will be government consultations on introducing similar measures in Scotland and Wales.

From 1 January 2024, there will be [new rules](#) on what advertisements you can place on the internet and on TV before 9pm across the UK. The rules will exist in tandem with current advertising rules which limit what products can be advertised to children.

What does this mean?

From October 2022, if your product is HFSS, it will be banned from being placed at key locations such as store entrances, aisle ends, checkouts (and their online equivalents). In October 2023, it will no longer be allowed to use volume promotions like 'buy 1 get 1 free', or '3 for 2'. You may receive requests from retailers for more detailed nutrient information or a nutrient profiling score. This is because the retailer will be liable for any breaches to these regulations.

The HFSS advertising rules apply to all HFSS advertising on TV between 5.30am and 9pm. They also apply to all paid-for advertising online, including online display ads, social media ads, search listings, influencer marketing, advergames, and advertisements for product specific sponsorship.

Do the new rules impact your business?

The restrictions only apply to certain categories of products – those which national dietary surveys show contribute the most to sugar and calorie intakes.

If your products fall within one of these categories, you need to apply the UK nutrient profiling model, to determine whether it is a HFSS product (i.e. high in fat, salt or sugar). If your product is HFSS then promotion and advertising restrictions will apply.

Certain exemptions apply for small and medium sized businesses.

Support for FDF Members

The Food and Drink Federation (FDF) represents and protect the interests of food and drink companies of all sizes, across all sectors of the industry. We are working hard to help our members understand these new rules and FDF members can access a range of resources to help them prepare including:

- ✓ Q&A resources
- ✓ HFSS / Nutrient Profiling Model calculator
- ✓ Webinars and podcasts
- ✓ Access to our FDF experts

If you would like to learn more about how we can help you and your business please [contact us](#) for an informal chat.

[Learn more about the benefits of membership](#)

Categories impacted

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

[For the further advertising rules, there are extra categories for the out of home sector](#)