Nourish Scotland response to

Food Standards Scotland's Proposals to Improve the Out of Home Environment

February 2019

About Nourish Scotland

We are a charity campaigning on food justice issues in Scotland. We believe tasty and nutritious food should be accessible to everyone, be sustainable, and be produced, processed, sold and served in a way that values and respects workers. We campaign for solutions that work across the board: we take a systems approach toward food and health, poverty, fairness, workers' rights, rural economy, environment, climate change, land use, and waste.

Summary of our comments

Nourish Scotland strongly supports decisive action in the out of home sector to make food environments healthier. However, we firmly believe action is needed at a much more systemic level than what is proposed in this consultation, using planning, licensing, and regulatory levers to reverse the current situation, making healthy food the ubiquitous and easy choice. Nourish Scotland is of the view that businesses selling food to the public should have a duty of care, which includes offering a balanced menu, so that everyone can easily access and choose healthy food.

While information measures have a role to play in our approach to improving diets, they are in no way sufficient. We recommend a bolder approach to shift the balance between unhealthy and healthy foods in the OOH sector, for example through a mandatory health rating scheme linked to preferential tax rates for healthier food businesses. Moreover, we question the adequacy of calorie labelling and the helpfulness of nutrition profiles, suggesting instead a new, simple and engaging 'healthfulness' labelling scheme. Finally, we emphasise the importance of addressing the cultural dimension of food and diets, in order to bring about sustainable change.

Full consultation response

Question 1

Do you agree that the businesses listed above should be included within an Out of Home strategy for Scotland?

Yes

Question 2

Which of the following measures should be taken to reduce excessive calorie contents of food and drinks eaten outside the home?

Please tick as many as you think apply.
- v reducing portion sizes
- v changing recipes e.g. by reducing fats and sugars and increasing fruit/vegetable/bean/pulses and fibre content
- applying maximum calorie limits
- applying maximum energy densities (calories per 100g)
- v ensuring single serve packs of are available as an alternative to packs containing multiple servings
- excluding very high calorie menu items
- Other: OOH businesses of all sizes should be incentivised and supported to reduce their offering of highly processed foods and shift towards more wholesome foods.

Please explain your answer/s.

Nourish has strong reservations towards an approach that is focused on calories.

First, not all calories are equal. Healthfulness needs to be defined in the context of whole foods rather than by isolating macronutrients. While 2 mars bars (~102g) contain 460 calories[1] with no nutritional value, 100g of almonds contain 575 calories, but also pack a whole range of essential minerals and vitamins and more than a third of the daily recommended fibre intake[2]. As Dr. Dariush Mozaffarian[3] put it "for long-term risk of obesity, growing evidence indicates that food quality may be more relevant than calorie-counting: different foods have calorie-independent effects on complex modulators of long-term weight regulation including hunger, satiety, brain reward, metabolic responses, hepatic fat synthesis, adipocyte function, metabolic expenditure, and the microbiome."

Improving the food environment should be about more than calorie control. Excessive sugar consumption and low dietary fibre intake are highly worrying, so reducing sugar content and boosting fruit, veg, pulses and wholegrains intake should be key objectives. Low intake of dietary fibre is an equally critical public health issue, with more and more microbiome research demonstrating the paramount importance of fibre for gut and overall physical and mental health. Only 1 adult in 4 is eating 5 portions of fruit and veg a day (and there is no data on how many achieve the new recommendations of 7 daily portions). However, this figure is hiding worrying inequalities between the highest and lowest income quintile, with 30% vs. 15%, respectively, managing 5 a day. The current situation is dire, the Food Foundation demonstrated in 2016 that we are only getting half a portion of veg for every three meals we eat outside the home[4]. Improving the offer of low- or unprocessed fruit and veg in the OOH sector must be a central priority of the forthcoming Strategy.

Question 3

Do you agree that consumers should routinely have easy access to small or half portions?

[1] https://www.fitbit.com/foods/Mars+Bar+51g+/728067805
[2] https://nutritiondata.self.com/facts/nut-and-seed-products/3085/2
[3] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6132234/
[4] https://foodfoundation.org.uk/food-service-compendium/

Yes

Please explain your answer.

Question 4

Should calorie labelling at the point of choice* apply in Scotland?

No

Please explain your answer.

As per our response to question 1; calories are not a reliable indicator of healthfulness. Great care should therefore be taken in designing public health interventions with a primary focus on calories.

Additionally, the impact of calorie labelling on nutrition is debated, and may vary across different target groups, with the potential to increase health inequalities. Many studies have found labelling had no significant reduction on calorie intake[5], although providing contextual or interpretive information helped in some cases.

Instead of a blunt calorie labelling approach, Nourish would be more inclined to support symbolic health labelling in outlets selling primarily unhealthy foods. This system could use a green-amber-red symbol, which would summarise the overall healthfulness of a food item or menu option, taking into account added sugars, fibre, unhealthy fats, and micronutrients. The introduction of such a system would need to be organised alongside a large information campaign to ensure the symbols are recognised and understood.

Question 5

As a food business, would MenuCal help you to provide calorie labelling?

n/a

Question 6

As a food business, what additional support would you require to provide calorie labelling?

n/a

Question 7

Should calorie labelling at point of choice be made mandatory in Scotland?

No

Please explain your answer.

Given our concerns raised in answer to question 2 and 4, we do not think calorie labelling at point of choice should be made mandatory in Scotland for all businesses.

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[5] https://www.sciencedirect.com/science/article/pii/S000282230600304X;
https://ijbnpa.biomedcentral.com/articles/10.1186/1479-5868-8-135; https://www.nature.com/articles/ijo2014162

Question 8

Should any business be exempt from mandatory calorie labelling at the point of choice?

Yes

If yes, which types of business should be exempt and why?

We do not think it would be appropriate to ask all food businesses to provide calorie labelling. We have serious concerns about potential negative impacts of such a measure on small and independent businesses. Not only would this approach add considerable costs and logistical burdens, it would also hinder the adaptability of menus based on season and availability.

If mandatory labelling is introduced, businesses whose menu contains a majority of healthy options should be exempted.

Question 9

Where nutrition information is provided online and on printed materials should it be standardised in the way set out in the table above?

No

Please explain your answer.

There is no evidence that the standardised nutrition profile table is a helpful decision-making tool for most people. Nutrition information set out as in the proposed table is often described as hard to interpret and confusing, even by highly educated people. Summarising nutrition information into a simple and engaging symbol would likely be more impactful, as per our suggestion to question 4.

Question 10

Where nutrition information is provided online or on printed materials, should it be mandatory that it is standardised in the way set out in the table above?

No

Please explain your answer.

For the same reasons as raised with regards compulsory calorie labelling.

Question 11

Which actions would change promotion and marketing practices to support healthier eating outside the home?

Please tick as many as you think apply.
v businesses dropping practices that encourage overconsumption
v businesses positively marketing and promoting healthier choices
   raising consumer awareness through the use of social marketing campaigns
   other (please specify)

Please explain your answer.

Nourish calls for a ban on the marketing of unhealthy foods across the retail and out of home sectors.

Question 12

What types of actions could be taken to improve the food provided Out of Home in the vicinity of schools?

It is inconsistent that nutritional standards for food eaten by children and young people during the school day only applies within schools, while businesses in the vicinity of schools can sell HFSS foods and drinks without restrictions. The debate about banning sales of energy drinks to under-16s is helpful, but the narrow focus on caffeinated drinks is misguided. Experts have warned[6] that "the biggest problem with [energy] drinks is the high sugar content" – which is found at similar levels in fizzy drinks and many snacks and "causes damage to teeth, it causes obesity, which of course leads to heart disease, diabetes and cancer." With one in five 11-year olds obese in the UK, we urgently need to consider more drastic measures to curb sugar consumption in children and young people, and support them to eat more fruit, veg, and wholegrains.

Nourish would welcome measures restricting the sale of HFSS foods and drinks to children and young people during and around school time. We are of the view that businesses selling food to the public should have a duty of care, which includes offering a balanced menu and protecting children from harmful products, as well as wider social, economic, and environmental good practice. Adapting planning law and policy so that Local Authorities can take action on the healthfulness of food environments around schools is also urgently needed.

Question 13

Which of the following should be changed to improve food provided for children:

Please tick as many as you think apply.
v Less reliance on menus specifically for children
v Provision of children's portions from adult menu items
v Increased use of vegetables and fruit in dishes, sides and desserts
v Reduced reliance on breaded/fried products
v Reduced reliance on chips
v Plain water and milk offered as standard options
v Reduction of drinks with added sugar
v Reduction of high sugar dessert options
v Reduction of confectionery and crisps
  No changes are required
  Other (please specify)

Please explain your answer/s.

HFSS foods and drinks should not be marketed for children, and should not be listed under children's menus. Nourish agrees with the importance of introducing children to a wide range of tastes. If evidence shows that children's menus are hindering this learning and

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6 https://www.bbc.co.uk/news/uk-scotland-44630521

encouraging children to stick to less healthy options outside the home, action should be taken to address this state of affairs.

Question 14

Do you agree that recognition schemes are an effective means of supporting healthier eating in the Out of Home sector?

No

If no, what other approaches would enable businesses to make the changes needed?

Voluntary recognition schemes have shown their limitations. The Healthy Living Award has been in place for over a decade, with very limited impact. Although the scheme continues to be the Scottish Government's flagship scheme for the purpose of improving the offer of healthy food in the Out of Home sector, there is limited evidence of success. Although there is no recent impact evaluation available on the HLA website (the last report is from 2009), in a 2015 report[7], NHS Health Scotland recognised that awareness and participation in the private sector is very low, with "only 15% of business [holding] an award of some sort" and only 10% either holding or working towards HLA. Importantly, 1 in 4 businesses "felt that providing healthy food options was not relevant or something they would actively pursue".

We strongly believe the scale of the challenge we are facing with regards to diet-related diseases requires more decisive action, across the board. Only a small minority of businesses engage with such schemes. Additionally, because these schemes are voluntary, the bar tends to be low to avoid businesses disengaging with the scheme. In order to create a level playing field, while achieving highly needed change across the whole sector, a mandatory approach backed by free advice and support is the only solution.

We support the policy recommendations in The Food Foundation's recent Broken Plate report[8], to "develop a healthy rating scheme" (similar to the English hygiene rating scheme) which would "in turn, be linked to business rates to incentivise the shift to healthier menus, prioritising the most deprived neighbourhoods". The Food Foundation also recommends that Government ensures that menus for food on the go and food eaten out "have at least 50% of their products falling within healthy thresholds (e.g. no red traffic lights, at least one of your five a day etc)". We strongly believe that such measures should be compulsory for businesses wishing to sell food to the public.

The Scottish Government is committed to the precautionary, preventative action, and polluter-pays principles when it comes to environmental protection. Given the scale of the diet-related epidemic we are currently facing and its cost to our NHS and wider society, Nourish cannot see any reason not to apply similar principles to the food environment for the sake of the health of our nation.

Question 15

Do you agree that the following actions should be adopted by the public sector?

- Calorie labelling at the point of choice
- Reducing portion sizes
- Provision of small or half portions

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[7] http://www.healthscotland.com/uploads/documents/25268-Healthyliving%20award%20Awareness%20and%20insight%20gathering%20Market%20research.pdf
[8] https://foodfoundation.org.uk/wp-content/uploads/2019/02/The-Broken-Plate.pdf

- Changing recipes to lower calories by reducing fats and sugars and increasing fruit/vegetable/bean/pulses and fibre content
- Caterers redesigning menus to exclude very high calorie menu items
- Improvements to food for children where served
- No promotion or marketing of HFSS foods, including no upselling or upsizing

No

Please explain your answer.

We agree the following actions should be adopted by the public sector – with comments:

- Provision of small or half portions – this should always be an option, with a proportional price discount.
- Changing recipes to lower calories by reducing fats and sugars and increasing fruit/vegetable/bean/pulses and fibre content
- Caterers redesigning menus to exclude very high calorie menu items
- Improvements to food for children where served – every child meal should include two portions of veg and zero or very little added sugar.
- No promotion or marketing of HFSS foods, including no upselling or upsizing

Re. calorie labelling, the same concerns as raised above apply. Re. reducing portion sizes, this proposed measure is very vague: what is the baseline, what portions will be reduced, to what level? We agree that portions of less healthy foods such as chips, desserts, or processed meats should not be disproportionately large and establishing guidance for, or compulsory, maximum serving sizes could be helpful.

Question 16

Would the proposals outlined in this consultation impact on the people of Scotland with respect to:

Age
Disability
Gender reassignment
Pregnancy and maternity
Ethnicity
Religion or belief
Sex
Sexual orientation
Socioeconomic disadvantage

Please explain your answer, considering both potentially positive and negative impacts, supported by evidence, and, if applicable, advise on any mitigating actions we should take.

n/a

Question 17

Please outline any other comments you wish to make.

Scotland has an uneasy relationship with food. Different food cultures prevail in our society, which broadly follow socio-economic differences, contributing to gaping health inequalities. Tackling the obesity and wider diet-related ill health epidemics requires addressing this complex interaction between diet and culture. Promoting a positive food culture, which is about good food not macronutrients, about enjoyment and social connection not fuel, and

about reconnecting what's on our plate to the land and people behind that food, is crucial if we are going to have any success at improving diets.

Strategies include supporting community food initiatives, investing in local food economies, and using public procurement as a force for good for local, seasonal, and sustainable food. Further, we call on the Scottish Government, NHS Health Scotland, and Food Standard Scotland to support and drive initiatives seeking to promote a more positive food culture, such as the incipient Scottish Manifesto of Chefs and Cooks[9].

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[9] https://www.scothot.co.uk/news/131-scottish-manifesto-of-chefs-and-cooks-what-is-it-about

Respondent Information Form

Are you responding as an individual or on behalf of an organisation?
Organisation

Full name of individual or organisation
Nourish Scotland

If you are responding on behalf of an organisation, what type of organisation is it?
Third sector organisation

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Food Standards Scotland would like your permission to publish your consultation response. Please indicate your publishing preference:
Publish response with name

Do you consent to your consultation response being analysed by a third party?
Yes

Are you content for Food Standards Scotland to contact you again in relation to this consultation exercise?
Yes