



Ms Clare Haughey,
Convener,
Health, Social Care and Sport Committee,
Scottish Parliament, Edinburgh

17th November 2025

Re: The Food (Promotion and Placement) (Scotland) Regulations (SSI 2025/303)

Dear Ms Haughey,

Thank you for reaching out regarding the regulations currently under consideration by your committee. We are submitting our evidence-based perspectives on behalf of NCD Alliance Scotland, a coalition of leading health organisations committed to reducing the impact of non-communicable diseases (NCDs) in Scotland. Our focus is on addressing the commercial determinants of health, including food and drink high in fat, sugar, and salt (HFSS).

We welcome the Scottish Government's commitment to improving the food environment through restrictions on the promotion and placement of HFSS food and drink. The introduction of measures covering volume price promotions of specified foods, certain drink promotions, and placement restrictions is a positive step forward. However, we are concerned by the length of time it has taken for these regulations to reach implementation and by the narrowing of their scope. The Scottish Government's first commitment to restricting HFSS promotions was made in the 2017/18 Programme for Government. At that time, 29% of adults were obese and 13% of children were at risk of obesity¹. These figures have since risen to 31% and 18% respectively, with childhood obesity now at its highest level since 1998². Obesity is not a standalone condition; it significantly increases the risk of multiple chronic diseases, places a heavy burden on the NHS, reduces economic productivity through early mortality and disability, and disproportionately affects lower income households^{3,4}.

We are particularly concerned by the exclusion of temporary price reductions (TPRs) and meal deals following the 2024 consultation. While we recognise the desire to align with regulations in England and Wales, Scotland had the opportunity to lead by adopting a more comprehensive approach. The omission of these measures substantially weakens the potential impact of the policy⁵.

Evidence shows that TPRs are among the most influential marketing tactics used by retailers. They do not simply encourage brand switching but drive increased purchasing volumes of HFSS products.



By lowering perceived cost barriers, TPRs stimulate impulse buying and stockpiling, increasing household availability and consumption of unhealthy foods^{3,6}. Excluding TPRs leaves a significant loophole, particularly affecting lower-income households who are more sensitive to price promotions and already experience higher rates of obesity and diet-related disease^{3,4}. Industry has argued that TPRs provide consumer value, yet counterevidence from Obesity Action Scotland, the Scottish Government's own consultation analysis, and Nesta's modelling demonstrates that TPRs increase overall HFSS sales^{3,5,7}.

The experience of Scotland's alcohol multi-buy ban is instructive: retailers quickly substituted multi-buy offers with TPRs, showing that these promotions actively drive consumption^{3,6}. Nesta's Blueprint analysis highlights the scale of missed opportunity: a comprehensive ban on all HFSS price promotions, including TPRs, could reduce adult obesity prevalence by up to 29%, prevent tens of thousands of cases of type 2 diabetes, hypertension and heart disease, and deliver an estimated £18 billion in annual economic benefits at minimal government cost^{5,8}.

We further remain concerned about the exclusion of meal deals. These promotions encourage the bundling of multiple HFSS items such as crisps, confectionery, and sugary drinks, alongside sandwiches, resulting in higher overall calorie intake. Meal deals are particularly appealing to young people, who are especially vulnerable to the marketing of unhealthy products: they are more easily influenced by persuasive advertising and experience disproportionate physical and mental consequences from their consumption^{3,4,9}. In addition, meal deals are more attractive to lower-income households, further amplifying existing health inequalities^{3,4}. Stakeholders in the Scottish Government's consultation highlighted that without restrictions on meal deals, the regulations would fail to address one of the most widespread and influential forms of HFSS promotion in retail^{7,10}.

Given the evidence, we strongly urge the Scottish Government to reconsider the exclusion of TPRs and meal deals in future. Placement restrictions alone will not deliver the transformative change required to address Scotland's obesity crisis. A comprehensive ban is essential to achieve the intended public health outcomes and to prevent widening inequalities. Unless strengthened, the regulations will fall short of delivering the 2030 commitment to halve obesity.

The Scottish Government's Population Health Framework, published earlier this year, named reducing obesity as one of its two initial priorities. Whilst we strongly welcome the introduction of these regulations, we look forward to the Scottish Government setting out what further steps will be taken to create a healthier food environment across Scotland as part of a new implementation plan.



Thank you for the opportunity of contributing to the Committee's work in scrutinising these regulations,

NCD Alliance Scotland.

References

1. Scottish Government. *Scottish Health Survey 2017: Volume 1 – Main Report*, 8. Obesity (2018). Available from: <https://www.gov.scot/publications/scottish-health-survey-2017-volume-1-main-report/pages/96/>



2. Scottish Government. *Scottish Health Survey 2024: Volume 1 – Main Report*, 10. Obesity (2025). Available from: <https://www.gov.scot/publications/scottish-health-survey-2024-volume-1-main-report/pages/10--obesity/>
3. Obesity Action Scotland. *Obesity in Scotland: Prevalence, Causes, Impact and Responses 2023/24* (2025). Available from: <https://www.obesityactionsotland.org/media/sw5ome13/obesity-in-scotland-prevalence-causes-impact-and-responses-march-2025.pdf>
4. NCD Alliance Scotland. *NCD Prevention: A Commercial Determinants of Health Approach* (2024). Available from: [ncd-prevention-a-commercial-determinants-of-health-approach-2024-report.pdf](https://www.ncdalliance.org.uk/media/2024-report.pdf)
5. Nesta. Response to: Restricting promotions of food and drink high in fat, sugar or salt – Consultation on the detail of proposed regulations (2024). Available from: https://media.nesta.org.uk/documents/HFSS_regulation_response.pdf
6. Obesity Action Scotland. Restricting price and location promotions of high fat, sugar and salt (HFSS) products – Policy Position (2023). Available from: <https://www.obesityactionsotland.org/media/hjxkmyeh/oas-position-paper-price-and-location-promotions-of-hfss-products-november-2023-final.pdf>
7. Scottish Government. *Restricting Promotions of Food and Drink High in Fat, Sugar or Salt – Consultation on the Detail of Proposed Regulations* (2023). Available from: <https://www.gov.scot/publications/restricting-promotions-food-drink-high-fat-sugar-salt-consultation-detail-proposed-regulations/>
8. Nesta. Blueprint. *Ban on All HFSS Price Promotions in Food Retail Businesses*. Blueprint (2024). Available from: <https://blueprint.nesta.org.uk/intervention/ban-on-all-hfss-price-promotions-in-food-retail-businesses-2/>
9. Soraghan M, et al. Harmful marketing by commercial actors and policy ideas from youth. *Health Promot Int* 38(6) (2023). Available from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10655631/>
10. Scottish Government. *Ministerial Foreword – Restricting Promotion of Food and Drink High in Fat, Sugar or Salt: Consultation Analysis – SG Response* (2023). Available from: <https://www.gov.scot/publications/restricting-promotion-food-drink-high-fat-sugar-salt-hfss-consultation-detail-proposed-regulations-scottish-government-response/>