

# TfL Ad Policy: Approval Guidance

## Food and Non-Alcoholic Drink Advertising

### 1. General Principles

- 1.1 The UK Nutrient Profiling Model (NPM) is widely used and has been subject to rigorous scientific scrutiny, extensive consultation, and review. Furthermore, the scoring system it uses balances the contribution made by beneficial nutrients that are particularly important in children's<sup>1</sup> diets with components in the food that children should eat less of. It has therefore been concluded that the NPM model is the best way of identifying food that contributes to child obesity. Such food and non-alcoholic drink is not only purchased directly by children but is bought for them by others.
- 1.2 Guidance on how to identify whether a product is considered HFSS under the NPM is available [here](#).
- 1.3 The outcome of any reviews or revisions of the NPM will be taken into consideration.

### 2. Practical exceptions

- 2.1 The NPM allocates points on the basis of the nutrient content of 100g of a food or non-alcoholic drink and does not differentiate between products on the basis of typical portion size or manner of consumption. TfL recognises that adoption of the NPM could lead to unintended consequences, in that some products that are not believed to make a contribution to child obesity could become restricted. Advertisements for food and non-alcoholic drink that is considered HFSS under the NPM may be considered for an exception by TfL if the advertiser or their agent can demonstrate, with appropriate evidence, to TfL's satisfaction, that the product does not contribute to HFSS diets in children.
- 2.2 Where an exception is granted by TfL:
  - Copy should not suggest that the product/s are 'healthy', given their overall HFSS rating;
  - Copy should be presented in a way that is targeted at adults and adult settings; and
  - Copy must comply with TfL's overall advertising policy and copy guidance.
- 2.3 This process is detailed further at Appendix A, which demonstrates the areas that TfL may take into consideration when assessing requests for exceptions.
- 2.4 A review of this approach will commence in spring 2020.

### 3. Advertisements featuring only non-HFSS products

- 3.1 These would normally be approved but would still need to comply with other sections of [TfL's Advertising Policy](#).

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<sup>1</sup> Children/.child means a person/s below the age of 18. This is in line with the Convention on the Rights of the Child's definition: [https://www.unicef.org/crc/files/Guiding\\_Principles.pdf](https://www.unicef.org/crc/files/Guiding_Principles.pdf).

#### **4. Advertisements featuring only HFSS products**

- 4.1 Where a proposed advertisement features only food and/or non-alcoholic drink which is rated HFSS, such copy would be rejected, unless a practical exception has been agreed by TfL as per paragraph 2.1 of this document.
- 4.2 It is therefore recommended that, before committing to advertising production, advertisers should discuss their eligibility with TfL's agents.

#### **5. Advertisements where there is a range of food/non-alcoholic drink featured, some of which is HFSS**

- 5.1 The advertising of HFSS products is unacceptable under the policy, so a range or meal could not feature them e.g. fish, chips and peas could only be advertised if all products were non-HFSS, unless a practical exception has been agreed by TfL as per paragraph 2.1 of this document. This would also apply to any meal settings being shown, including those for restaurants, aggregator platforms and delivery services.
- 5.2 It is the responsibility of advertisers and their agents to verify the status of the products featured using the NPM.
- 5.3 Where an HFSS product is featured incidentally (e.g. it is only partially visible or is indistinguishable, from other non-HFSS products) TfL or its agents may agree to its inclusion in copy if it is satisfied that the image does not promote the HFSS product.

#### **6. Advertisements where no food or non-alcoholic drink is featured directly but the advertisement is from or features a food and/or non-alcoholic drink brand**

- 6.1 This may include:
- advertisements where the brand's logo is included but no products, e.g. a brand values campaign.
  - directional signage to a store, app or website;
  - promotional advertising which is price led but features no products e.g. '50% off everything' or similar;
  - advertising about a business or its performance; and
  - Sponsorship of an event or attraction by a food or non-alcoholic drink brand.
- 6.2 Food and non-alcoholic drink brands (including food and drink service companies or ordering services) will only be able to place such advertisements if the advertisement promotes healthier options (i.e. non-HFSS products) as the basis of the copy.
- 6.3 Where a logo from a food or non-alcoholic drink brand is featured incidentally TfL or its agents may agree to its inclusion in copy if it is satisfied that the image does not promote HFSS food and/or non-alcoholic drink.

- 6.4 Where advertisers are uncertain about the classification of proposed copy under these guidelines, they should discuss this with TfL's sales agents.
- 7. Advertisements where food and non-alcoholic drink is shown 'incidentally' i.e. it is not the subject of the advertisement but is included (or implied) by visual or copy:**
- 7.1 HFSS products should not be promoted by being featured in advertisements for other products. It is the responsibility of advertisers and their agents to verify the HFSS status of the products featured using the NPM.
- 7.2 Where a food or non-alcoholic drink item is featured incidentally and does not relate to a specific identifiable product which can be assessed for its HFSS status, advertising copy may be rejected by TfL or its agents on the basis that the advertisement promotes the consumption of HFSS foods.
- 8. Advertisements where food and non-alcoholic drink is referenced in text, through graphical representations or other visual representation.**
- 8.1 HFSS products should not be promoted through references in text, graphical images or other visual representations of food and non-alcoholic drink. Where a food or non-alcoholic drink item is featured in this way and does not relate to a specific identifiable product which can be assessed for its HFSS status, advertising copy may be rejected by TfL or its agents on the basis that the advertisement promotes the consumption of HFSS foods.
- 9. Indirect promotion of HFSS food and/or drink**
- 9.1 Where a product is non-HFSS but falls within a category covered by PHE's recommendations for sugar or calorie reduction, the product should always carry a prominent product descriptor to help differentiate it from non-compliant products (e.g. where an advertisement features a non-HFSS pizza or burger, the image should be accompanied by prominent text that names the specific product and retailer).
- 9.2 Children should not usually be shown in advertisements for products which are compliant in a category which is covered by PHE's recommendations for sugar or calorie reduction.

## **10. Portion sizes**

- 10.1 The NPM model is based on nutrients per 100g of a product, rather than recommended portion size. Advertisers should always ensure that they promote products in portion sizes which encourage healthy eating. For products that are non-HFSS but fall within a category covered by PHE's recommendations for sugar or calorie reduction, the product should be displayed as a single portion, unless agreed otherwise by TfL or their agents.
  
- 10.2 If advertisers and agencies are unsure about how to interpret this, or any other aspect of these guidelines, we would encourage them to get in touch with TfL so that we can work together on a solution and avoid submitted copy requiring changes or being rejected.

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