

Submission to Advertising Standards Authority: Comment on Nutrient Profiling Score

Thank you for the opportunity to comment on proposed changes to Nutrient Profiling Scoring Criteria (NPSC). Before responding to the questions below we would like to make the following points.

- The current regimen has been unsuccessful in contributing to significantly altering the advertising/promotion landscape and positively impacting on reducing obesity and associated harm in children (1).
- Voluntary guidelines and self-regulation have been unsuccessful and have failed to protect children in Aotearoa New Zealand from unhealthy food and beverage marketing, whether it be on their screens, at their schools, in their homes, the places they go to play sport or just hangout in their wider community. (1,2,3,4)
- Evidence shows changing the marketing environment to one where nutritious food are promoted and junk foods / unhealthy foods are absent would normalise and reinforce healthy dietary patterns (5).

Therefore, we believe to only consider which NPSC to use merely perpetuates the current ineffective system and ignores the growing body of evidence showing statutory restrictions work.(6) We support the conclusion of the Unhealthy food and drink marketing in Aotearoa New Zealand: Evidence Snapshot that the current voluntary code should be replaced with a comprehensive regulatory code with effective monitoring and real sanctions. (7)

The NPSC has a very close relationship with the Health Star Rating which is only applied to packaged foods.

1. The Codes Committee view is that the Nutrient Profiling Scoring Criterion (NPSC) from Food Standards Australia New Zealand (FSANZ) should be the NPS to replace the current FBCS/HSR. Do you agree with the Codes Committee? Please support your position with the benefits and limitations of adopting this NPS.

No. The NPSC is cumbersome and complex and allows ultra-processed foods to be promoted. This is not consistent with the NZ Eating and Activity Guidelines which promotes a diverse and whole food diet. (8) In addition, there is a very strong recommendation from the World Health Organisation that free sugar intake of children (and adults) be reduced to prevent and control unhealthy weight gain and dental caries. (9)

2. The Codes Committee view is that products that do not meet the Nutrient Profiling Scoring Criterion are occasional food and beverage products for the purposes of applying the definition in the Children and Young People's Advertising Code. Do you agree with the Codes Committee?

No. The use of the word occasional is problematic. Food and Nutrition Guidelines for Healthy Children and Young People (Aged 2–18 years) define an occasional food as consumed less than once a week. In our experience working with family cooks this is not how most people would interpret the word. Occasional is a very subjective term and not an appropriate description for inherently unhealthy/nutrient-poor foods.

3. Is there an alternative NPS you would recommend the Codes Committee.

We suggest the adoption of the World Health Organisation (WHO) Regional Office for Europe Nutrient profiling model. (10) This model was specifically developed for use in assessing whether a food could be marketed to children or not. In particular compared with the FBCS and the NPSC only the WHO system is more in-line with the recommendation to reduce free sugar intake and identifies high-sugar breakfast cereals, fruit juices and ready meals as not to be marketed to children more robustly than the other two systems. A 2015 analysis of local packaged food reported 41% were eligible to carry health claims based on their categorizations. (11) This suggests using the FSANZ NPSC would be a reasonably lenient base to use to make a judgement on whether a food is appropriate to market to children. Further analysis demonstrates the WHO model is the most robust system to underpin restrictions on marketing foods to children as it effectively restricts the marketing of unhealthy foods. (12)

References

1. Sing F, Mackay S, Culpin A, Hughes S, Swinburn B. Food advertising to children in New Zealand: A critical review of the performance of a self-regulatory complaints system using a public health law framework. *Nutrients*. 2020;30;12(5):1278.
2. Swinburn B, Kraak V, Rutter H, Vandevijvere S, Lobstein T, Sacks G, et al. Strengthening of accountability systems to create healthy food environments and reduce global obesity. *Lancet*. 2015;385(9986):2534–45. Available from: [https://doi.org/10.1016/s0140-6736\(14\)61747-5](https://doi.org/10.1016/s0140-6736(14)61747-5) 158.
3. Galbraith-Emami S, Lobstein T. The impact of initiatives to limit the advertising of food and beverage products to children: a systematic review. *J Heal Commun Int Perspect*. 2013;14(12):960–74. 159.
4. Adams J, Tyrrell R, Adamson AJ, White M. Effect of restrictions on television food advertising to children on exposure to advertisements for “less healthy” foods: Repeat cross-sectional study. *PLoS One*. 2012;7(2):e31578.
5. Dixon HG, Scully ML, Wakefield MA, White VM, Crawford DA. The effects of television advertisements for junk food versus nutritious food on children’s food attitudes and preferences. *Soc Sci Med*. 2007;65(7):1311–23.
6. World Cancer Research Fund International. Nourishing framework. WCRF International. 2017. Available from: <https://www.wcrf.org/policy/policy-databases/nourishingframework>
7. Unhealthy food and drink marketing in Aotearoa New Zealand: Evidence Snapshot 2022. Available from www.junkfoodfree.org
8. Ministry of Health. 2012. Food and Nutrition Guidelines for Healthy Children and Young People (Aged 2–18 years): A background paper. Partial revision February 2015. Wellington: Ministry of Health.
9. Guideline: Sugars intake for adults and children. Geneva: World Health Organization; 2015.
10. World Health Organization. World Health Organization Regional Office for Europe Nutrient Profiling Model. Copenhagen, Denmark: World Health Organization; 2015
11. Ni Mhurchu C, Brown R, Jiang Y, Eyles H, Dunford E, Neal B. Nutrient profile of 23,596 packaged supermarket foods and non-alcoholic beverages in Australia and New Zealand. *Public Health Nutr* 2015;19:401–8.

12. Ni Mhurchu C, MacKenzie T, Vandevijvere S. Protecting New Zealand children from exposure to the marketing of unhealthy foods and drinks: a comparison of three nutrient profiling systems to classify foods. *NZMJ* 2016;129:41-53