



REPORT

HFSS FOOD MARKETING
TARGETING CHILDREN

Table of Contents

1. Executive Summary	3
2. Introduction	4
3. Objectives	6
4. Types of Measures	7
4.1 Marketing of HFSS Foods Targeting Children	7
4.2 Product Placement and Promotion of HFSS Foods on the Retailer-Side	9
4.3 Front-of-Pack Warning Labels	10
4.4 Marketing of Ultra-Processed Food Products	12
5. Analysis of Countries Within the EU	14
5.1 Spain	14
5.2 France	17
5.3 Denmark	19
5.4 Ireland	21
6. Analysis of Countries Outside the EU	23
6.1 Canada	23
6.2 Chile	26
6.3 United Kingdom	30
7. Summary of Main Observations & Recommendations to EU Policy Makers	33
8. Conclusions	35
Bibliography	36

1. Executive Summary

This report critically examines the pervasive issue of marketing of foods high in fats, sugar and/or salt (HFSS), and particularly its harmful impact on children. Current EU policies are fragmented and often rely on ineffective industry self-regulation, allowing aggressive marketing of HFSS foods to persist. This contributes to rising rates of childhood obesity and diet-related non-communicable diseases (NCDs).

By examining marketing regulations in seven countries, including EU Member States Spain, France, Denmark, and Ireland, and non-EU nations like Chile, Canada, and the UK, the report identifies efforts that have been made and critical legislative gaps at the EU and national level. Based on these findings, it offers key recommendations for EU policymakers, urging them to put forward an EU-wide ban on HFSS food marketing targeting children across all media, including television, radio, digital platforms, and product packaging, while closing regulatory loopholes. Complementary measures include Front-of-Pack Warning Labels to provide transparent nutritional information, stricter guidelines for retail product placement to limit the prominence of unhealthy foods, and robust enforcement mechanisms to ensure compliance. The report also advocates for public awareness campaigns to educate families about healthy eating. Implementing these recommendations would enable EU policymakers to create a strong regulatory framework that shields children from the negative impacts of HFSS food marketing while fostering healthier food environments across Europe.

2. Introduction

Nowadays, millions of children and adolescents worldwide are consuming excessive amounts of ultra-processed foods and beverages high in saturated fats, trans fats, added sugars or salt, leading to severe health consequences. Unhealthy diets, characterised by the consumption of high-fat, high-calorie, and high-sugar foods, coupled with a lack of regular physical activity, are among the leading causes of death and disability globally, with rates of overweight and obesity rising around the world.¹ In 2022, an estimated 37 million children under 5 years of age were classified as overweight. Among children and adolescents aged 5–19 years, approximately 390 million were overweight, including 160 million who were living with obesity.²

Non-communicable diseases (NCDs) are a major public health concern, being responsible for 90% of deaths in the WHO European Region. Among these, nearly two-thirds are directly attributable to preventable risk factors, including unhealthy diets, physical inactivity, and exposure to harmful commercial products such as tobacco, alcohol, ultra-processed foods (UPFs), and fossil fuels. In 2021, these products and related practices caused approximately 2.7 million deaths, accounting for 24.5% of all deaths in the region.³ Diets high in processed meat, sodium, sugar-sweetened beverages, and industrially produced trans fatty acids are significant contributors to mortality. Specifically, high sodium consumption caused an estimated 252,187 deaths (2.27% of all deaths), followed by processed meat (117,290 deaths or 1.06%), sugar-sweetened beverages (15,606 deaths or 0.14%), and trans fatty acids (6,056 deaths or 0.05%).⁴ These dietary risks underscore the critical role of healthy diets and commercial influences on health.

Pressing socio-economic issues, including diet-related diseases and food insecurity, have intensified in recent years, affecting significantly high-risk populations. The consumption of ultra-processed foods, particularly those high in fat, sugar or salt (HFSS), is linked to consumers' socioeconomic background. Children from disadvantaged families are notably identified as the primary consumers of such food products, due to their convenience as well as the lack of knowledge and education on the subject. The risk of childhood obesity is higher in lower socio-economic groups, where children are more exposed to nutritionally poor foods, and lack access and opportunities for physical activities.⁵ Safe Food Advocacy Europe (SAFE) is granted an Operating Grant 'Food4Inclusion – Upscaling food systems for the mitigation and exclusion of

¹ UNICEF. (2021). "Policy brief: Marketing of unhealthy foods and non-alcoholic beverages to children". Available at: [Link](#)

² World Health Organization. (2024). "Obesity and overweight". Available at: [Link](#)

³ World Health Organization Regional Office for Europe. (2024). "Commercial determinants of noncommunicable diseases in the WHO European Region". Available at: [Link](#)

⁴ WHO Regional Office for Europe. (2024). "Commercial determinants of noncommunicable diseases in the WHO European Region". Available at: [Link](#)

⁵ World Health Organization. (2016). "Report of the Commission on Ending Childhood Obesity". Available at: [Link](#)

poverty', which acts upon the links between nutrition and social inclusion. Under Food4Inclusion, SAFE offers support to disadvantaged consumers, by providing clear, independent and transparent information related to food products, with the ultimate goal of protecting the health of at-risk populations, particularly children.

Food marketing has been identified as a primary influence on diets, affecting children's nutrition knowledge, preferences and consumption patterns. Food products promoted by marketing often represent undesirable dietary profiles, due to their high percentage of fats, salt and sugar as well



as their elevated degree of processing.⁶ The promotion of such foods through aggressive marketing techniques is in contrast with the rights enshrined in the Convention of the Rights of the Child, including the rights to health and adequate nutrition. While the Committee on the Rights of the Child has called for the regulation of the marketing of unhealthy foods,⁷ and the World Health Organization (WHO) and the Pan American Health Organization (PAHO)

have recommended improved nutrition labelling to empower consumers with information about food products' nutritional properties,⁸ the private sector vehemently opposes stricter labelling measures targeting unhealthy nutrient components. At the EU level, voluntary industry commitments, such as the EU Pledge,⁹ have proven ineffective in protecting children from exposure to harmful advertising, demonstrating a clear conflict of interest.¹⁰ To address this gap, some countries have successfully implemented policies to restrict the marketing of unhealthy foods, demonstrating that they were welcomed by policymakers and feasible to implement. While such policies were largely accepted by the public, the industry generally opposed government-led marketing restrictions.¹¹ Despite these efforts, no country is currently on track to halt the rise in obesity by 2025, a global target set to address the growing prevalence of diet-related diseases.¹²

⁶ World Health Organization. (2023). "Policies to protect children from the harmful impact of food marketing: WHO guideline". Available at: [Link](#)

⁷ United Nations. (2021). "General comment No. 25 (2021) on children's rights in relation to the digital environment". Available at: [Link](#)

⁸ World Health Organization. (2004). "Global Strategy on diet, physical activity, and health", available at: [Link](#)

⁹ EU Pledge. (n.d.), "About the EU Pledge". Available at: [Link](#)

¹⁰ WHO Regional Office for Europe. (2024). "Commercial determinants of noncommunicable diseases in the WHO European Region". Available at: [Link](#)

¹¹ World Health Organization. (2023). "Policies to protect children from the harmful impact of food marketing: WHO guideline". Available at: [Link](#)

¹² Ibid.

This report focuses on marketing regulations for HFSS foods in seven countries, including EU Member States - Spain, France, Denmark and Ireland, and third countries, namely Chile, Canada, and the United Kingdom. These countries were selected for their diverse approaches to regulating HFSS food marketing, offering a wide range of policies to examine. These measures include the regulation of marketing in child-focused locations, requirements for healthy messages or warnings, voluntary self-regulation marketing codes, regulation of broadcast and non-broadcast media, regulation of product placement and promotion at the retailer level, and the use of Front-of-Pack Warning Labels.¹³ These policies are often applied in combination but can also exist independently, showcasing varied regulatory landscapes. The purpose of analysing these case studies is to review different regulatory approaches, identify gaps, and provide evidence-based recommendations to improve the legislative framework at the EU level. This report is primarily centred on the protection of vulnerable populations, in particular children. Regulations on marketing can therefore be of the utmost importance in order to combat the surge in obesity and NCDs, particularly concerning childhood obesity. Children and adolescents are particularly vulnerable to food marketing, shaping their food choices and increasing the likelihood of diet-related health issues.¹⁴ In its legislative and policy-making work, the EU has unfortunately not been able to implement efficient regulations to protect children and consumers on unhealthy marketing, instead relying on an industry-led voluntary initiative. The analysis, made-up of several case studies of legislative frameworks, reveals the need for comprehensive tools tackling HFSS food marketing in Europe, and develops recommendations for policymakers.

3. Objectives

The core objectives of this advocacy action are multifaceted, aiming to address the complexities of HFSS food marketing and its impact on public health, especially among vulnerable populations such as children. In doing so, the report's first and main aim is to enhance consumer protection by contributing to strengthening the legal framework and regulatory measures to protect consumers from deceptive marketing practices. By focusing on vulnerable groups, such as children, it aims to mitigate the adverse effects of marketing on dietary choices and overall health.

More largely, the report aims at promoting healthier food choices, improve food environments and encourage the promotion and consumption of healthier food options through strategic regulatory interventions. In doing so, filling the legislative gaps is central. This will allow the proposition of comprehensive amendments to current legislation to adapt to evolving marketing strategies and technological advancements.

¹³ European Commission. (2021). "Food and non-alcoholic beverage marketing to children and adolescents – examples of implemented policies addressing food and non-alcoholic beverage marketing to children and adolescents". Available at: [Link](#)

¹⁴ Unicef. (n.d.). "Nutrition in middle childhood and adolescence". Available at: [Link](#)

Lastly, the report carries the objective of raising public awareness regarding HFSS food marketing, both towards consumers as well as towards policymakers. Empowering consumers to make informed choices by providing transparent information about nutritional content and marketing tactics is central, as is pressing policymakers and highlighting the lack of regulatory tools in this area. Increasing the purchasing power of families is equally important to ensure access to healthy, fresh, and unprocessed food.

This report seeks to accomplish its objectives through a comprehensive analysis of existing marketing practices and regulatory measures. By examining measures employed by various EU Member States and countries outside of the EU, the report aims to distil best practices. Moreover, it intends to provide evidence-based recommendations to guide EU policymakers in the formulation and implementation of robust regulations.

The report will serve as a catalyst for informed policy decisions, leveraging case studies and statistical data to underscore the urgency and importance of regulating HFSS food marketing. Through these efforts, the advocacy action aspires to contribute to the creation of a healthier, more transparent food environment that prioritises the well-being of all citizens, particularly the most vulnerable among them.

4. Types of Measures

4.1 Marketing of HFSS Foods Targeting Children

The analysis of marketing practices targeting children delves into a detailed review of measures implemented in seven selected countries to limit children's and adolescents' exposure to the marketing of HFSS foods.

At the EU level, the EU Pledge, a voluntary initiative aimed at regulating food and beverage advertising to children, has garnered both praise and criticism.¹⁵ On the positive side, it represents a collective effort by industry players to address concerns about childhood obesity by voluntarily committing to nutritional criteria and marketing restrictions.¹⁶ The pledge's focus on limiting the promotion of HFSS food products to children under 13 through various media channels is a commendable step toward promoting healthier dietary choices. However, critics argue that the initiative's success hinges on self-regulation by participating companies, potentially leading to loopholes and lax enforcement. While the EU Pledge signifies a positive move towards corporate responsibility in the food industry, ongoing evaluation and external scrutiny are crucial to ensure that it results in tangible improvements to children's health.

¹⁵ EU Pledge. (n.d.). "About the EU Pledge". Available at: [Link](#)

¹⁶ Jensen, J.D., & Ronit, K. (2015). "The EU pledge for responsible marketing of food and beverages to children: implementation in food companies". Available at: [Link](#)

To address this gap, various legislative measures have been proposed for adoption in EU Member States. Among the Member States analysed by this study, Spain's launched the ambitious yet hindered Royal Decree to regulate food and beverage advertising aimed at children. Despite its comprehensive approach, the proposal has been blocked by the Ministry of Agriculture, showcasing the challenges faced in achieving robust regulations when the industry opposition arises and consensus among ministries is not reached.



In France, Ireland and Denmark, the marketing of HFSS foods targeting children is regulated by a combination of legislative measures and self-regulatory initiatives. However, voluntary actions rely heavily on advertisers for enforcement, which limits their effectiveness in addressing harmful marketing practices. In addressing HFSS food marketing to the general population and in particular to children, the adoption of a legislation by the European Union to improve public health, prevent non-communicable diseases and promote children's rights is central to protect children's health. This legislative path shall and should draw upon measures already implemented within some Members States, but also should look at successful practices implemented in third countries, which will be highlighted in this report. For instance, the Food Labelling and Advertising Law implemented in Chile led to a reduction of children's exposure to HFSS food marketing and to a decline in HFSS food purchase. In the UK, a 9pm television watershed for advertisement of HFSS foods and drinks aimed at reducing the surge of childhood obesity will come into force in 2025.

In 2021, the European Public Health Alliance (EPHA), together with SAFE and other civil society organisations, launched a call for action, urging the EU to adopt a legislation to protect children from the harmful effects of marketing of HFSS foods.¹⁷ The endorsing organisations called the EU to regulate cross-border marketing of nutritionally poor foods by reducing the exposure of children up to 18 years old to HFSS food marketing on broadcast and digital media as well as in events such as festivals and cultural events. A blueprint Food Marketing Directive was also published to relaunch the debate of the protection of children by the EU.¹⁸

¹⁷ EPHA. (2021). "Call to protect children from the marketing of nutritionally poor food." Available at: [Link](#)

¹⁸ EPHA. (2021). "Blueprint Food Marketing Directive". Available at: [Link](#)

Overall, a comprehensive political framework is needed to efficiently ban the marketing of HFSS food products to children. Evidence from a WHO systematic review showed that reductions in children’s exposure to food marketing are more effective when the implemented policies are mandatory, when they are designed to protect children, including those older than 12 years old, and when they use government-led nutrient profile models to determine the marketing of which foods should be restricted.¹⁹

4.2 Product Placement and Promotion of HFSS Foods on the Retailer-Side

Retailers play a significant role in influencing consumer food choices thanks to their marketing techniques and product placement. One pivotal strategy in the battle against HFSS food marketing is the implementation of Front-of-Pack Warning Labels (FoPWL), which are prominently displayed on the packaging of food products and act as a visual cue, providing clear and concise information about the nutritional content and potential health risks associated with the consumption of a particular product. A detailed explanation of FoPWL and their successful implementation in Chile is presented in the following section.

The United Kingdom stands as a noteworthy example in the global effort to curb the influence of HFSS food marketing, particularly through stringent restrictions on promotions within retail spaces. The UK government has taken decisive action to limit the promotion of HFSS foods through various channels, including television and online advertising and, significantly, within supermarkets.²⁰ These restrictions aim to reshape consumer behaviour by reducing the visibility and attractiveness of unhealthy options, particularly for children. Moreover, regulating product placement within retail settings represents a crucial frontier in the battle against HFSS food marketing. By strategically placing healthier food options in prominent positions and limiting the visibility of HFSS products, governments can positively influence consumer choices. The UK’s approach, which includes restricting the placement of HFSS foods and beverages at checkouts and end-of-aisle displays, serves as a model for promoting healthier alternatives.²¹ Evaluating the potential impact involves considering not only the immediate effects on consumer purchasing behaviour, but also the long-term implications for public health. Such regulations could contribute to reduce the prevalence of diet-related health issues, particularly among children who are highly susceptible to the influence of marketing within the retail environment. Additionally, by aligning these efforts with broader awareness campaigns, there exists the potential to create a culture of informed decision-making among consumers, reinforcing the importance of healthier food choices. This report will delve into specific measures, analysing their effectiveness and offering

¹⁹ World Health Organization. (2023). “Policies to protect children from the harmful impact of food marketing: WHO guideline”. Available at: [Link](#)

²⁰ Gov.UK. (2021). “Introducing further advertising restrictions on TV and online for products high in fat, salt and sugar: government response”. Available at: [Link](#)

²¹ Muir, S. *et al.* (2023). “UK government’s new placement legislation is a ‘good first step’: a rapid qualitative analysis of consumer, business, enforcement and health stakeholder perspectives”. Available at: [Link](#)

insights into how similar strategies can be adapted and implemented across the European Union to foster a healthier food landscape.

4.3 Front-of-Pack Warning Labels

Front-of-Pack Warning Labels (FoPWL) represent a key instrument in the ongoing global campaign to tackle the rising tide of HFSS food consumption and its associated health risks, such as obesity and NCDs. These labels, prominently featured on food product packaging, serve a dual purpose of delivering transparent information to consumers and encouraging healthier dietary choices. Typically employing easily comprehensible symbols or color-coded indicators, these labels succinctly convey critical nutritional information, notably highlighting elevated levels of critical nutrients such as sugar, salt and saturated fat, and in some cases, trans fat, energy and/or non-caloric sweeteners.²² Usually, warning labels come with the shape of black octagons to signal a warning and to discourage consumption, and they might include text statements reading 'high in', 'avoid in children' or 'Ministry of Health'. The clarity and immediacy of FoPWL attract people's attention and empower consumers to make informed decisions about their food choices, serving as a constant reminder of the potential health implications associated with certain products. One of the aims of such labels is the reduction of children's consumption of critical nutrients, which also entails the adoption of marketing restrictions that prohibit the use of persuasive elements on the packaging of products directed to children.

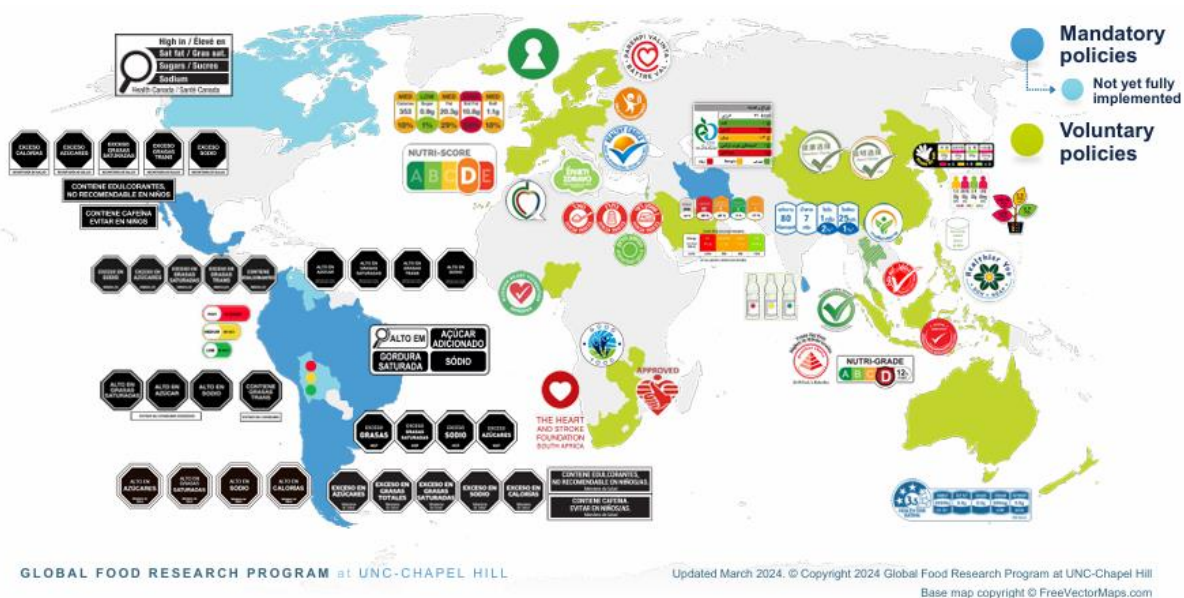


Figure 1-Front-of-package labels around the world (Global Food Research Program, 2024)²³

²² Taillie, L. S., et al. (2020). "Experimental studies of front-of-package nutrient warning labels on sugar-sweetened beverages and ultra-processed foods: a scoping review". Available at: [Link](#)

²³ Available at: [Link](#)

As a result, FoPWL encouraged the food industry to reformulate their products. Product reformulation can be achieved through a reduction of the content of critical nutrients, e.g., reducing the content of sugar, salt or fat which could increase the healthiness of the product but sacrifice its taste. Alternatively, food products could be reformulated by partially or totally substituting the critical nutrients with alternative, potentially more expensive ingredients that would guarantee the same taste to the product, e.g., using sweeteners instead of sugar.²⁴ A study shows that participants preferred reformulated products without nutritional warnings over regular products that displayed nutritional warnings.²⁵ However, it should be noted that FoPWL should be made mandatory and have an interpretative design to take advantage of the policy to its fullest. Indeed, voluntary approaches have low adoption rates and are more commonly implemented for healthier products.²⁶ Moreover, manufacturers responded strategically to labelling implementation, reformulating products close to the threshold of critical nutrients,²⁷ or using taste enhancers to ensure the reformulated product is undistinguishable from the previous version.²⁸

The successful example of countries like Chile, which pioneered the widespread implementation of such labels, exemplifies the transformative impact they can have on consumer behaviour.²⁹ By offering a visible, standardised system that transcends linguistic and cultural barriers, these warning labels have proven to be effective in influencing purchasing decisions, particularly among vulnerable populations. Evidence shows that the implementation of labels including warning messages is more likely to encourage purchases of healthier foods and reduce purchases of less healthy foods to a higher extent compared to traffic light labels, and their mandatory implementation can encourage industry reformulation.³⁰

As a result, the rationale behind FoPWL will be a focus of the case studies of this report, with the aim of providing empirical evidence to elucidate their impact on consumer behaviour, public health outcomes, and the broader landscape of HFSS food marketing. One last major aspect of the benefits of clear and ambitious FoPWL is the importance of the global adoption and standardisation of such labelling practices to create a unified and impactful front against the adverse effects of HFSS food consumption on public health.

²⁴ Barahona, N. *et al.* (2023). "Equilibrium Effects of Food Labeling Policies". Available at: [Link](#)

²⁵ Ares, G. *et al.* (2018). "Product reformulation in the context of nutritional warning labels: Exploration of consumer preferences towards food concepts in three food categories". Available at: [Link](#)

²⁶ *Ibid.*

²⁷ Alé-Chilet, J. & Moshary, S. (2020). "Beyond Consumer Switching: Supply Responses to Food Packaging and Advertising Regulations". Available at: [Link](#)

²⁸ Barahona, N. *et al.* (2023). "Equilibrium Effects of Food Labeling Policies". Available at: [Link](#)

²⁹ Smith Taillie, L. *et al.* (2021). "Changes in food purchases after the Chilean Policies on food labelling, marketing, and sales in schools: a before and after study". Available at: [Link](#)

³⁰ Roberto, C.A. *et al.* (2020). "The Influence of Front-of-Package Nutrition Labeling on Consumer Behavior and Product Reformulation". Available at: [Link](#)

4.4 Marketing of Ultra-Processed Food Products

Ultra-processed foods (UPFs) are edible products created by a series of industrial techniques and processes, many requiring sophisticated equipment and technology.³¹ UPFs undergo multiple industrial processing stages that can shape, subtract, refine, add substances and alter the structure of foods. They are characterised by a long list of ingredients, often including artificial additives (such as colouring agents, emulsifiers, sweeteners, or thickeners), which are used to enhance the flavour and texture of the products. UPFs are therefore rich in additives and trans fats, and tend to be low in fibre and nutrients. Examples of UPFs include well recognised unhealthy products, such as chips, candies, industrial cookies, sugary and energy drinks, processed meat and fish, industrial dressings, etc., as well as products that are not as commonly identified as unhealthy, such as cereal bars, packaged slice bread, sugary and flavoured fruit yogurt, instant soups, industrial fruit juices, plant-based burgers, etc.³²

UPFs allow to extend the shelf life of a product, reducing food waste and saving consumers' time and energy from preparing the food themselves.³³ However, their consumption is associated with an increased risk of NCDs, including diabetes, cardiovascular diseases, obesity, breast cancer, etc.,³⁴ as well as mental health problems, such as anxiety and depression.³⁵

The NOVA system is currently the most used classification system for UPFs, although it has received various criticism.³⁶ However, it is still the system of choice for the vast majority of the world's scientific community. In 2009, the Center for Epidemiological Studies on Health and Nutrition (Nupens) in Brazil published an important study analysing the correlation between UPFs and metabolic diseases. This study introduced a method for classifying products based on their level of processing, called NOVA.³⁷ The NOVA system is a classification framework that has been proposed for the scientific community and has been universally accepted. It has led to the publication of dozens of scientific articles linking UPFs to metabolic diseases and alterations in the human microbiota. In 2014, the system was used as the scientific basis for the recommendations in the "Dietary Guidelines for the Brazilian Population".³⁸ Since then, the classification has had a direct impact on public policies related to nutrition and health in Brazil.

³¹ Food and Agriculture Organization. (2019). "Ultra-processed foods, diet quality, and health using the NOVA classification system". Available at: [Link](#)

³² Istituto di Ricerche Farmacologiche Mario Negri. (2024). "Cibi ultra-processati: quali sono e perché fanno male". Available at: [Link](#)

³³ EIT Food. (2024). "Consumer perceptions unwrapped: ultra-processed foods (UPF)". Available at: [Link](#)

³⁴ Lane, M. *et al.* (2021). "Ultraprocessed food and chronic noncommunicable diseases: A systematic review and meta-analysis of 43 observational studies". Available at: [Link](#)

³⁵ *Ibid.*

³⁶ Rodrigues Petrus, R. *et al.* (2021). "The NOVA classification system: A critical perspective in food science". Available at: [Link](#)

³⁷ Nupens USP. (n.d.). "Food classification: NOVA". Available at: [Link](#)

³⁸ Ministry of Health of Brazil. (2015). "Dietary Guidelines for the Brazilian Population". Available at: [Link](#)

Its influence has also been extended abroad, as the Brazilian Guide has inspired similar publications in various other countries, including Uruguay, Canada, Peru, Ecuador, Israel, and, more recently, Mexico. The introduction and dissemination of the term "ultra-processed" in science have also allowed for the monitoring of consumption of these products in different populations, providing a new direction for the analysis of food consumption surveys. It should be noted that the NOVA system is not linked to the nutritional properties of food, which are still provided on the nutritional labels of each product.

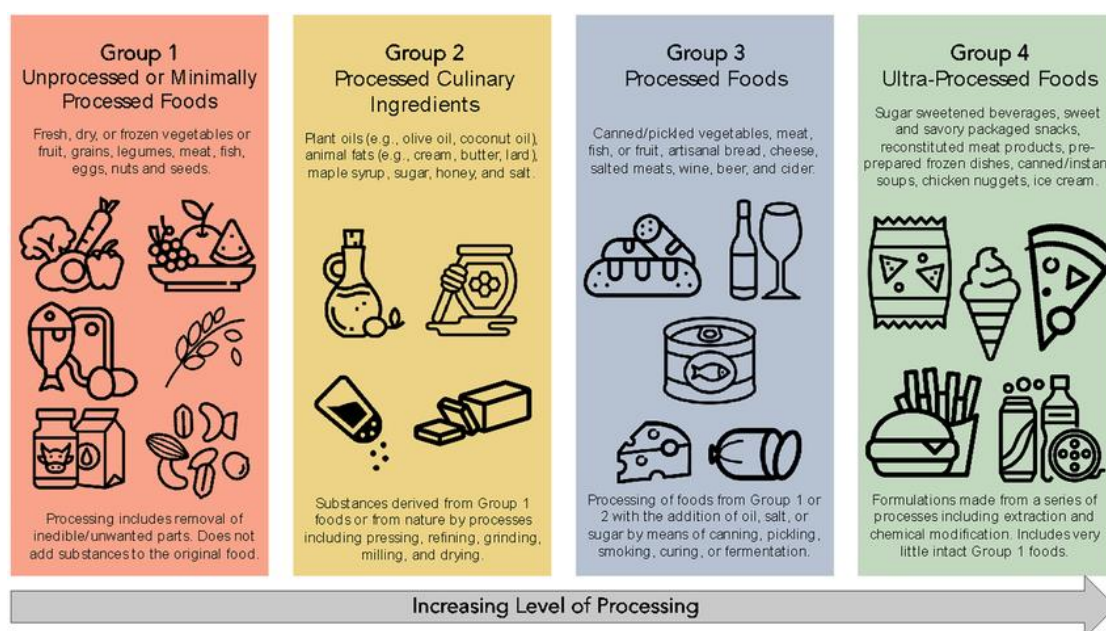


Figure 2-Spectrum of processing of foods based on the NOVA classification (Crimarco, A. et al.,2021) ³⁹

According to an EIT Food study on consumer perceptions of UPFs,⁴⁰ European consumers are aware that UPFs contribute to lifestyle-related health issues, contain high percentages of critical nutrients and are bad for the environment. However, UPFs often seem invisible in consumers' food choices, and they are considered convenient, cheap, quick to prepare, easy to be consumed when on-the-go and better tasting than when prepared at home. The study shows that 40% of consumers believe that UPFs are not properly regulated by authorities. Furthermore, an inception impact assessment and a public consultation launched by the European Commission showed that 83% of respondents highlighted the necessity for setting food composition targets for added salt, sugars and saturated fats for processed and ultra-processed foods.⁴¹

The marketing of UPF products targeting children encourages the excessive consumption of HFSS foods, and can have a lasting impact on their health, leading to overweight, obesity and diet-related NCDs. Policies shaping business activities should prioritise the best interests of children,

³⁹ Available at: [Link](#)

⁴⁰ EIT Food. (2024). "Consumer perceptions unwrapped: ultra-processed foods (UPF)". Available at: [Link](#)

⁴¹ European Parliament. (2024). "Legislative framework for sustainable food systems". Available at: [Link](#)

and effective regulations should be developed to ensure a close monitor of potentially dangerous advertising and marketing practices.⁴²

Overall, more information is necessary to allow consumers to distinguish between healthy and less healthy foods, including identifying UPFs and distinguishing different levels of processing. Even though consumers are aware of and concerned about the health risks related to UPFs, they lack knowledge, ability and motivation to avoid them in their daily food choices. Children should receive special protection from the aggressive marketing techniques of UPFs manufacturers, and effective regulation and monitoring of advertising should be established to ensure that the best interests of the child are central to policies.

5. Analysis of Countries Within the EU

5.1 Spain

Obesity is a serious health problem and a real public health challenge in Spain. According to data from 2020, more than half of the Spanish adult population is overweight, 16% of whom suffer from obesity and 37.6% from overweight.⁴³ Obesity rates are also significantly high in the child population, with 17.3% of children aged 6-9 years being obese and 40.6% being overweight in 2019.⁴⁴ To address this issue, the Spanish Government has enacted several pieces of legislation related to the protection of children from nutritionally poor food marketing, including the regulation of marketing in schools.⁴⁵ However, the Spanish Ministry of Consumer Affairs considers the current legislation to be 'insufficient'. As obesity rates among minors continue to increase, a new legislation is needed to make marketing restrictions more robust. Notably, in 2021, a regulation was drafted to regulate food and beverage advertising aimed at children but has since been blocked by the Ministry of Agriculture, which prefers a self-regulation model instead. Without its consent, the regulation is unable to continue through Spain's legislative process, and is still paralysed even in 2024. To date, there remains a long and uncertain road ahead for the passing of this ambitious legislation into law.

⁴² Pan American Health Organization. (n.d.). "Marketing of Ultra-processed and Processed Food and Non-alcoholic Drink Products". Available at: [Link](#)

⁴³ Global Obesity Observatory. (2020). "Spain". Available at: [Link](#)

⁴⁴ Agencia Española de Seguridad Alimentaria y Nutrición. (2019). "Surveillance study on nutrition, physical activity, child development and obesity". Available at: [Link](#)

⁴⁵ European Commission. (2021). "Food and non-alcoholic beverage marketing to children and adolescents – examples of implemented policies addressing food and non-alcoholic beverage marketing to children and adolescents". Available at: [Link](#)

The Legislation

The Spanish legislation in the realm of children food marketing extends back to 2005, with the



Figure 3-Code of co-regulation of advertising for food products and beverages directed to children, prevention of obesity and health (Spanish Government, n.d)

enactment of the PAOS Code⁴⁶. This consisted of a collection of ethics rules to guide companies in the development and execution of marketing messages towards minors. Ultimately, the Code hoped to promote healthy habits and prevent obesity among children and adolescents.⁴⁷ It was later expanded in 2012, which was considered a step forward in fulfilling the ambitions laid out in the Food Safety & Nutrition law of 2011.⁴⁸

legislation focused on safeguarding public health through preventative measures, and included regulations on healthy eating, physical activity, and the prevention of obesity. While this did not directly relate to the marketing of HFSS foods towards children, it set an important precedent for nutrition and food safety, influencing later regulation and public opinion on food marketing practices.⁴⁹ Despite this, it did include restrictions on marketing in educational spaces and schools, which were declared “advertising-free areas”.⁵⁰

The Food Safety & Nutrition law itself established a regulatory framework for nutrition in Spain. This

In 2021, the PAOS Code was declared insufficient by the Ministry of Consumer Affairs, and work began on a new piece of legislation that would better protect children. Figures showed that the rate of overweight children had only increased since the original Code was enacted, with advertisements indicated as one of the principal causes.⁵¹ The law that followed, a Royal Decree to regulate food and beverage advertising aimed at children, includes wider-reaching restrictions for nutritionally poor food advertising.⁵² The 2022 draft regulation targets children under 16 years of age with access to advertising content through a wider range of sources, such as (non-)cable television, radio, cinemas, internet, social media, websites, and apps. If approved, the ban would limit any advertisement of HFSS foods aimed at children and adolescents, including confectionery of chocolate and sugar, energy bars, desserts, pastries, juices, energy drinks, and ice cream. The regulation would also prohibit the appearance of public figures, influencers and athletes, among others, in advertising aimed at children, as well as the promotion of gifts,

⁴⁶ Figure 3 available at: [Link](#)

⁴⁷ Ministry of Consumption. (n.d.). “Publicidad de alimentos y bebidas dirigida a menores”. Available at: [Link](#)

⁴⁸ Ibid.

⁴⁹ Ministry of Consumption. (2021). “El Ministerio de Consumo lanza una consulta pública sobre un Proyecto de Real Decreto sobre publicidad de alimentos y bebidas dirigida al público infantil”. Available at: [Link](#)

⁵⁰ Ibid.

⁵¹ La Moncloa. (2021). “Consumo regulará la publicidad de alimentos y bebidas dirigida a menores”. Available at: [Link](#)

⁵² Ministry of Consumption. (2021). “El Ministerio de Consumo lanza una consulta pública sobre un Proyecto de Real Decreto sobre publicidad de alimentos y bebidas dirigida al público infantil”. Available at: [Link](#)

contests and sponsorships supporting HFSS food ads targeting minors. Non-compliance would be sanctioned according to the Food Safety and Nutrition Act. The infringements, depending on whether they are classified as minor, serious or very serious, range from €5,000 to €600,000.⁵³ Nutrient limits were also included for all other product categories, banning all marketing if the levels (per 100g) of total fat, saturated fat, total sugar, added sugar, and salt went above the threshold for a given product category.^{54,55} This proposal would represent a great advance in protecting the rights of children and adolescents, and it is positively perceived by the Spanish population.⁵⁶

Despite the far-reaching measures announced in 2022, negotiations were halted due to unfavourable reports from some of the ministries who participated in the National Strategic Plan for the Reduction of Childhood Obesity 2022–2030. The Ministry of Agriculture, Fisheries and Food rallied against its passing, arguing that self-regulation in the sector is preferable, although the Ministry of Consumption strongly disagrees.⁵⁷ As of 2024, the law has not been approved yet, even though the Minister of Consumption plans to approve it in the Council of Ministers this year.⁵⁸

Points of Caution

The Royal Decree would contribute substantially to the promotion of health and the protection of children and adolescents from marketing of nutritionally poor foods. However, as long as a consensus is not reached among the Spanish ministries, the approval of the draft published by the Ministry of Consumer Affairs will be delayed.⁵⁹

However, even if consent is gained, the long struggle will be far from over. Ministers will still need to vote on the legislation, which would require additional vote-whipping and lobbying. Following, it would have to be passed to the Parliament for further discussion and voting. The process of passing the regulation into law will therefore take many more years, even if the Ministry of Agriculture ended its blockade. There is a distinct possibility that the legislation may be severely

⁵³ Ministry of Consumption. (2022). “Real Decreto sobre publicidad de alimentos y bebidas dirigida al público infantil”. Available at: [Link](#)

⁵⁴ Tomico, M. (2022). “Consumo propone prohibir que los famosos hagan publicidad de alimentos poco saludables para niños: las claves del borrador”. Available at: [Link](#)

⁵⁵ Ministry of Consumption. (2021). “Borrador de Real Decreto Sobre Regulación de la Publicidad de Alimentos y Bebidas Dirigida al Público Infantil”. Available at: [Link](#)

⁵⁶ Cavero Esponera, C. *et al.* (2022). “Public Opinion on Food Policies to Combat Obesity in Spain”. Available at: [Link](#)

⁵⁷ Mejía, L. (2023). “Las claves del choque entre Consumo y Agricultura que bloquea el decreto para regular la publicidad infantil de alimentos insanos”. Available at: [Link](#)

⁵⁸ Lardiez, A. (2024). “El Gobierno quiere prohibir en 2024 los anuncios y promociones de alimentos y bebidas con exceso de sodio, azúcares o grasas”. Available at: [Link](#)

⁵⁹ Royo-Bordonada, M. A. *et al.* (2023). “Spain facing the challenge of regulating unhealthy food advertising”. Available at: [Link](#)

watered-down by the time it will be passed into law. To preserve the law's current form, the Ministry of Consumer Affairs will need to remain steadfast in the face of ongoing negotiations, industry lobbying and political pressure.

5.2 France

In France, 17% of children are classified as overweight, and 4% are obese,⁶⁰ highlighting the critical need to address childhood obesity. To tackle this challenge, France has implemented measures aimed at reducing children's exposure to advertisements for HFSS foods. These efforts rely on a combination of legislation and self-regulation, reflecting the country's commitment to promoting healthier environments for children. One distinctive policy implemented in France is the requirement for advertisements for HFSS foods to include health-related messages.⁶¹ While significant progress has been made, further steps are necessary to establish a comprehensive regulatory framework that fully protects children from the marketing of HFSS foods.⁶²

The Legislation

France regulates HFSS food marketing targeting children primarily through the *Code de la Santé Publique* (Public Health Code). Article L.2133-1, introduced under the 2004 Public Health Law, requires advertisements for food and beverages high in sugar, salt, or artificial additives to include health-related messages. Compliance with these rules must adhere to guidelines established by the ARPP (Professional Advertising Regulatory Authority) and non-compliance can result in fines of up to €37,500.⁶³

The *Loi Gattolin* (Gattolin Law), enacted in 2016, prohibits commercial advertising during children's programs on public television, targeting content aimed at children under 12. The restriction also applies to the 15-minute intervals before and after youth programming. However, the law excludes private channels, digital platforms, and general programming, significantly limiting its scope. Furthermore, research indicates that children predominantly watch general audience content, further diminishing the law's effectiveness.⁶⁴

Advertising on private channels is managed through co-regulation frameworks, which rely on voluntary agreements such as the *Charte Alimentaire* (Food Charter) overseen by the ARCOM (Audiovisual and Digital Communication Regulatory Authority). The current charter (2020-2024)

⁶⁰ Haute Autorité de Santé. (2024). "Surpoids et obésité chez l'enfant et l'adulte : quel parcours de soin ?". Available at: [Link](#)

⁶¹ European Commission. (2021). "Food and non-alcoholic beverage marketing to children and adolescents – examples of implemented policies addressing food and non-alcoholic beverage marketing to children and adolescents". Available at: [Link](#)

⁶² Santé gov. (2023). "Remise du rapport 'Mieux prévenir et prendre en charge l'obésité en France'". Available at: [Link](#)

⁶³ LegiFrance. (2020). "Code de la Santé Publique". Available at: [Link](#)

⁶⁴ Troy, S. (2024). "Surpoids et obésité : facteurs de risques et politiques de prévention". Available at: [Link](#)

operates on a non-mandatory basis. Unlike the previous ones, the 2020 charter has not been endorsed by the ministries of Health, Agriculture and Overseas departments, thereby further reducing its enforceability.⁶⁵ Additionally, the ARPP outlined ethical guidelines for responsible advertising in 2010. However, this recommendation depends on voluntary industry compliance and lacks legally binding enforcement mechanisms, limiting its ability to restrict harmful HFSS marketing practices.⁶⁶

Points of Caution

France's current regulations on HFSS food marketing to children fall short of providing robust protection. Childhood obesity remains a critical public health challenge in France, with 17% of children classified as overweight and 4% as obese.⁶⁷ Since 1997, the prevalence of obesity in France has doubled, increasing from 8.5% to 17% of the population.⁶⁸ These figures emphasise the urgent need for more stringent and comprehensive strategies to reduce children's exposure to HFSS food marketing.

Recent data from an ARCOM report highlights an alarming trend: the proportion of food advertisements for HFSS products has increased, even during time slots when children are most likely to be watching television.⁶⁹ Reliance on voluntary self-regulation frameworks, such as the Food Charter and the ARPP's recommendations, places enforcement primarily in the hands of advertisers, limiting their effectiveness in curbing harmful marketing practices.

⁶⁵ Santé publique France. (2022). "Evolution des messages sanitaires devant accompagner les publicités de certains aliments et boissons et préconisations concernant l'encadrement du marketing des produits gras, sucrés, salés en direction des enfants". Available at: [Link](#)

⁶⁶ Autorité de régulation professionnelle de la publicité. (2023). "Bilan publicité et comportement alimentaires". Available at: [Link](#)

⁶⁷ Haute Autorité de Santé. (2024). "Surpoids et obésité chez l'enfant et l'adulte : quel parcours de soin ?". Available at: [Link](#)

⁶⁸ Laville, M. (2023). "Mieux prévenir et prendre en charge l'obésité en France". Available at: [Link](#)

⁶⁹ ARCOM. (2023). "Evaluation de la charte alimentaire". Available at: [Link](#)



Figure 4: Gettyimages Tijana87 (FoodNavigator Europe, 2020)⁷⁰

5.3 Denmark

Childhood overweight and obesity rates in Denmark are lower than in many European countries but have been rising steadily over the past 30 years. In 2013, 5-8% of children aged 3-4, 21% of those aged 6-8, and 18% of adolescents aged 14-16 were overweight.⁷¹ The World Health Organization's Childhood Obesity Surveillance Initiative collected data between 2018 and 2020, indicating that 6% of children aged 7 to 9 years in Denmark were classified as obese.⁷² To address this issue, Denmark uses a mix of legal rules and industry self-regulation to limit the marketing of HFSS foods to children. The Danish voluntary self-regulation marketing code has contributed to a decline in HFSS food advertising, but its impact could be significantly enhanced if the measures were more comprehensive and made mandatory.

The Legislation

Denmark employs a hybrid approach to regulating the marketing of HFSS foods to children, combining legislation with self-regulation initiatives. The Marketing Act and the Food Act serve as foundational legislation, setting broad principles for marketing practices.⁷³ The Marketing Act prohibits misleading or unfair advertising, particularly marketing that exploits children's natural credulity and limited critical thinking. It mandates that marketing aimed at children under 18 is designed to protect their vulnerability.⁷⁴ Complementing this, the Danish Consumer

⁷⁰ Available at: [Link](#)

⁷¹ O Cathaoir, K. (2017). "Food Marketing to Children in Sweden and Denmark: a Missed Opportunity for Nordic Leadership". Available at: [Link](#)

⁷² World Health Organization. (2022). "Childhood Obesity Surveillance Initiative - COSI fact sheet highlights 2018-2020". Available at: [Link](#)

⁷³ Danish Food and Drink Federation. (2024). "Food advertising for children". Available at: [Link](#)

⁷⁴ Ibid.

Ombudsman’s Guidelines provide detailed recommendations for advertising practices directed at children and young people.⁷⁵ Inspired by international standards, these guidelines emphasise the need for ethical marketing that safeguards children’s interests. However, these laws provide only broad protections and do not specifically target HFSS food marketing. In 2007, a proposal from an opposition party to introduce stricter laws limiting unhealthy food marketing to children under 16 was put forward.⁷⁶ Shortly afterward, the Food Advertising Forum was established, and the proposed legal reforms were abandoned.



Figure 5-The Keyhole Symbol (Dinamo-The Norwegian Directorate of Health, n.d.)

To address HFSS food marketing more specifically, the Code of Responsible Food Marketing to Children was introduced in 2008 as a voluntary industry initiative. Led by the Danish Food and Drink Federation, in partnership with media and food advertisers, the code seeks to prevent advertising of HFSS foods on platforms primarily targeting children under 13 years old.⁷⁷ It encompasses various media, including children’s TV and radio, magazines, websites, and SMS services, while restricting advertising during peak children’s viewing times. The code also builds on existing legal

provisions, prohibiting manipulative techniques like product placement and ensuring that advertising does not directly encourage unhealthy consumption behaviours. Denmark’s Front-of-Pack labelling system includes the Keyhole label, which intends to help consumers identify healthier food choices. The Keyhole symbol⁷⁸ signifies that a product contains less fat, sugar, and salt, while offering more dietary fibre compared to similar products.⁷⁹ This voluntary label, common across Nordic countries like Denmark, Sweden, Iceland, and Norway, originated from Sweden in 1989. Food producers are responsible for ensuring their products meet the Danish Veterinary and Food Administration’s regulations to use the Keyhole symbol.

Points of Caution

Denmark’s reliance on voluntary self-regulation presents several limitations. While the Code of Responsible Food Marketing to Children has contributed to a decline in HFSS food advertising in targeted media, its voluntary nature weakens enforcement. Compliance monitoring, conducted

⁷⁵ Ibid.

⁷⁶ O Cathaoir, K. (2017). “Food Marketing to Children in Sweden and Denmark: A Missed Opportunity for Nordic Leadership”. Available at: [Link](#)

⁷⁷ Ibid.

⁷⁸ Figure 5 available at: [Link](#)

⁷⁹ Danish Veterinary and Food Administration. (2024). “Nutrition and labelling”. Available at: [Link](#)

by the Food Advertising Forum, is based on peer reviews, and companies that violate the code are neither penalised nor publicly named, reducing accountability.⁸⁰

Moreover, the Code's scope is limited. Critical channels such as packaging, outdoor advertising, and sponsorships are excluded, even though they are widely used to promote HFSS foods. Social media marketing, particularly on platforms like Facebook, also remains under-regulated, leaving children vulnerable to indirect advertising.⁸¹ The Code focuses narrowly on reducing advertising during children's peak media consumption periods but does not address children's overall exposure to marketing across different settings and times.

Denmark's legal framework imposes general marketing restraints but lacks specific focus on HFSS food advertising. The Danish Code is led by industry stakeholders, with the government acting only as an observer, limiting its enforcement power and influence.⁸² Finally, the Keyhole label is voluntary, meaning food producers are responsible for compliance, which may lead to inconsistencies in its application.⁸³

5.4 Ireland

According to data from the Childhood Obesity Surveillance Initiative (COSI) for 2022-2024, approximately 17.7% of primary school children in Ireland are living with overweight or obesity.⁸⁴ According to the World Obesity Federation, 8.27% of children aged 5 to 19 in Ireland were classified as obese in 2022.⁸⁵ Ireland has been active in implementing measures to limit children's exposure to the marketing of foods HFSS, with binding rules and evolving frameworks reflecting a commitment to improving public health. More specifically, Ireland has implemented mandatory regulation of broadcast media and banned the marketing of HFSS products in child-focused locations. Yet, the prevalence of childhood obesity highlights the need for even more robust public health interventions.

The legislation

Ireland has established both binding and voluntary measures to regulate the marketing of HFSS foods, especially targeting children. These efforts align with the goals outlined in Ireland's Obesity

⁸⁰ O Cathaoir, K. (2017). "Food Marketing to Children in Sweden and Denmark: A Missed Opportunity for Nordic Leadership". Available at: [Link](#)

⁸¹ Ibid.

⁸² Ibid.

⁸³ Danish Veterinary and Food Administration. (2024). "Nutrition and labelling". Available at: [Link](#)

⁸⁴ HSE. (2024). "New research finds 1 in 5 primary school children living with overweight and obesity". Available at: [Link](#)

⁸⁵ World Obesity. (2022). "Ranking (% obesity by country)". Available at: [Link](#)

Policy and Action Plan 2016–2025, aiming to create a healthier food environment for younger generations.⁸⁶

Ref.	Action	Lead Responsible	Partners	Timeframe
1.2	Develop and implement an integrated and holistic health and wellbeing model for early childhood services (Outcome 1 in <i>Better Outcomes, Brighter Futures</i>).	DCYA	Childcare committees in LCDCs, HSE, DES, TUSLA, DSP	2016–2018
1.3	Develop and implement training programmes, including brief interventions, and courses on overweight and obesity, including anti-stigma, for and by teachers.	DES	Teacher colleges, HSE	2016–2025

Figure 6-Example of Action plans (Healthy Ireland, 2016)⁸⁷

The Children’s Commercial Communications Code, enforced by the Broadcasting Authority of Ireland (BAI), is a binding regulation under the Broadcasting Act 2009.⁸⁸ Effective since September 2, 2013, this code prohibits advertising HFSS foods during children’s programming or in programs where over 50% of the audience is under 18.⁸⁹ It also bans HFSS ads on TV and radio before 6:00 PM. Additionally, the code restricts advertising content, prohibiting the use of celebrities, sports stars, promotional offers, or health and nutrition claims in HFSS marketing.⁹⁰ Furthermore, food advertising to children under 15 must not include characters and personalities from children’s programmes. There is also an overall limit on advertising of HFSS foods at any time of day to less than 25% of sold advertising time.

In non-broadcast media, the Advertising Standards Authority for Ireland (ASAI) introduced rules in 2021, incorporated into its Code of Standards for Advertising and Marketing Communications.⁹¹ These rules target the marketing of HFSS foods on digital platforms, sponsorships, and retail placements. However, these measures are voluntary, building on the Department of Health’s 2018 codes of practice. The 2018 Department of Health code aims to limit the promotion and visibility of HFSS foods in prominent store locations such as checkout

⁸⁶ Healthy Ireland. (2016). “A healthy weight for Ireland Obesity policy and action plan”. Available at: [Link](#)

⁸⁷ Ibid.

⁸⁸ Broadcasting authority of Ireland. (n.d.). “Codes & Standards”. Available at: [Link](#)

⁸⁹ European Commission. (2021). “Food and non-alcoholic beverage marketing to children and adolescents – examples of implemented policies addressing food and non-alcoholic beverage marketing to children and adolescents”. Available at: [Link](#)

⁹⁰ European Commission. (2021). “Food and non-alcoholic beverage marketing to children and adolescents – examples of implemented policies addressing food and non-alcoholic beverage marketing to children and adolescents”. Available at: [Link](#)

⁹¹ ASAI. (2016). “Code of Standards for Advertising and Marketing Communications in Ireland”. Available at: [Link](#)

areas, store entrances, and end-of-aisle displays. Although the ASAI rules aim to limit children's exposure to HFSS marketing, they lack legal enforceability, and no monitoring or enforcement body has been established.⁹²

Ireland has also taken action in physical environments frequented by children. Marketing HFSS products is banned in child-focused locations such as schools, which are considered critical areas for safeguarding children's exposure to food advertising. This binding restriction reinforces Ireland's approach to creating safe spaces for children.

Points of caution

Despite Ireland's measures, there are still areas of concern and opportunities for further improvement. One of the key areas of debate is the 6:00 PM watershed on HFSS food advertising. Public opinion strongly supports extending this to 9:00 PM, as children and teenagers often watch content during prime-time hours that still exposes them to unhealthy food advertisements.⁹³ The Irish Heart Foundation's 2017 "Stop Targeting Kids" campaign highlighted these concerns, gaining widespread public support for stricter measures.⁹⁴

Additionally, while the ASAI's voluntary guidelines for non-broadcast media represent progress, their lack of binding legal enforcement limits their overall effectiveness. The absence of an established monitoring and enforcement body means that compliance with these guidelines cannot be consistently ensured. As a result, these voluntary measures may not be sufficient to achieve the desired impact on reducing children's exposure to HFSS food marketing, particularly in the rapidly evolving digital space.

6. Analysis of Countries Outside the EU

6.1 Canada

Canada has taken steps to address the marketing of HFSS foods to children, relying primarily on voluntary industry codes. Quebec is the only region with mandatory legislation restricting child-directed advertising. One key policy implemented is the prohibition of advertising, including food and beverage directed at children under 13 of any medium (TV, radio, print, internet, mobile phones, promotional items). Expanding these efforts nationally could provide stronger protections against HFSS foods marketing. With nearly one in three children in Canada living with

⁹² McCann FitzGerald. (2021). "New ASAI Rules on Advertising of HFSS Products". Available at: [Link](#)

⁹³ European student think tank. (2024). "Are current laws on marketing advertisement on HSFF products in Ireland outdated?". Available at: [Link](#)

⁹⁴ European student think tank. (2024). "Are current laws on marketing advertisement on HSFF products in Ireland outdated?". Available at: [Link](#)

overweight or obesity, implementing more robust measures at the national level represents a crucial opportunity to address this significant public health challenge.⁹⁵

The Legislation

Canada's regulatory landscape for HFSS foods marketing directed at children has seen progress in recent years, but key proposals remain unimplemented. The federal government has recognised the need to restrict advertising of HFSS foods to children as part of its Healthy Eating Strategy, with initiatives dating back to 2015.⁹⁶ Yet, a comprehensive regulatory framework has not been finalised.

Quebec remains the only province with a robust, mandatory approach to restricting commercial advertising directed at children under 13 on TV, radio, print, internet, mobile phones as well as through using promotional items.^{97,98} The Consumer Protection Act prohibits all forms of commercial advertising, including HFSS food advertisements, to children in this age group. The criteria for identifying a children's program are as follows: (i) the advertised product is specifically intended for or appeals to children, (ii) the advertisement's presentation is designed to attract children, and (iii) the timing and placement of the advertisement ensure it reaches a child audience.⁹⁹ While effective, its scope does not extend to children outside Quebec nor to adolescents.

The rest of the country relies on voluntary industry-led initiatives, resulting in substantial gaps in protection.¹⁰⁰ Adopted in June 2023, the Code for the Responsible Advertising of Food and Beverage Products to Children (CCFBA) establishes a self-regulatory framework for food and beverage advertisers, requiring that products not meeting specific nutrition criteria are not marketed to children under 12.¹⁰¹ Developed collaboratively by industry associations, this Code is administered by Ad Standards and includes guidance to ensure compliance. However, as a voluntary initiative, its enforcement is limited, and its scope excludes adolescents entirely.

⁹⁵ Government of Canada. (2024). "Policy update on restricting food advertising primarily directed at children: Overview". Available at: [Link](#)

⁹⁶ Ibid.

⁹⁷ Office de la protection du consommateur. (2012). "Advertising Directed at Children under 13 Years of Age". Available at: [Link](#).

⁹⁸ European Commission. (2021). "Food and non-alcoholic beverage marketing to children and adolescents – examples of implemented policies addressing food and non-alcoholic beverage marketing to children and adolescents". Available at: [Link](#)

⁹⁹ European Commission. (2021). "Food and non-alcoholic beverage marketing to children and adolescents – examples of implemented policies addressing food and non-alcoholic beverage marketing to children and adolescents". Available at: [Link](#)

¹⁰⁰ Vergeer, L. et al. (2024). "The relationship between youth's exposure to unhealthy digital food marketing and their dietary intake in Canada". Available at: [Link](#)

¹⁰¹ Ad Standards. (2023). "Code for the Responsible Advertising of Food and Beverage Products to Children". Available at: [Link](#)

Criterion A	Criteria B and C
<p>Goods or services essentially intended for children and that therefore appeal to them. Ex.: certain video games, toys or candy primarily consumed by children.</p>	<p>The ad must not:</p> <ul style="list-style-type: none"> • be designed in a way that appeals to children; • be broadcast or distributed in a place where or at a time when children are normally reached.
<p>Goods or services that are particularly appealing to children without being intended exclusively for them. Ex.: certain desserts, fast foods, amusement parks, video game consoles.</p>	<p>The ad is allowed if:</p> <ul style="list-style-type: none"> • it is not designed to appeal to children; • it is not broadcast or distributed in a place where or at a time when children in particular are normally reached.
<p>Goods or services that are not particularly appealing to children. Ex.: cleaning products, meat, financial products, alcoholic beverages, certain types of clothing.</p>	<p>The ad is allowed. However, if the company sells children's products, attention must be paid to the ad's design. The design should not be appealing to children if they essentially comprise the audience when and where the ad is broadcast or distributed.</p>

Figure 7-How to determine whether commercial advertising is directed at children (Office de la protection du consommateur, 2012)¹⁰²

As part of the Forward Regulatory Plan 2024–2026, Health Canada proposes amending the Food and Drug Regulations to restrict advertising HFSS foods to children. The policy targets television and digital media, acknowledging that Canadian children are also exposed to food marketing via packaging, sponsorships, and in retail settings.¹⁰³ Introduced as part of efforts to amend the Food and Drugs Act, Bill C-252 aims to prohibit food and beverage marketing directed at children under 13.¹⁰⁴ As of now, Bill C-252 has passed through several stages in the House of Commons and is currently under consideration in the Senate.¹⁰⁵ It represents a promising but as-yet-unrealised step toward a comprehensive federal regulation.

In 2022, Health Canada introduced new nutrition labelling regulations for packaged foods requiring a symbol on the front of packages indicating that a food is high in saturated fat, sugars and/or sodium. Such warning labels aim at capturing consumers' attention and help them to quickly and intuitively identify foods that contain high levels of critical nutrients.¹⁰⁶ The label includes a magnifying glass, a statement reading 'high in' and the words 'Health Canada' at the bottom of the symbol. The symbol will be displayed in English and French, and will be placed in the upper half of the label for most package shapes, or in the right half if the package is wider

¹⁰² Available at: [Link](#).

¹⁰³ Legisinfo. (2024). "An Act to amend the Food and Drugs Act (prohibition of food and beverage marketing directed at children)". Available at: [Link](#)

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

¹⁰⁶ Government of Canada. (2022). "Front-of-package nutrition labelling". Available at: [Link](#)

than it is tall. The food industry will have until 1 January 2026 to implement such change, but Front-of-Pack Warning Labels might be found on packed food products even earlier.¹⁰⁷

Points of Caution

Despite the efforts to restrict HFSS food marketing to children, significant gaps remain in Canada's regulatory framework. Health Canada's proposed amendments to the Food and Drug Regulations, which focus on television and digital media, are a step forward, but they do not comprehensively address all media and settings where children are exposed to food marketing. Moreover, there are currently no proposed nor existing regulations specifically targeting the marketing of HFSS foods to adolescents, a group that is equally susceptible to the influence of advertising.¹⁰⁸

The reliance on voluntary self-regulation with the CCFBA continues to undermine the effectiveness of these efforts, as it relies on industry compliance rather than robust government oversight. The lack of uniform protections across provinces, with Quebec being the only region with mandatory regulations, leaves children in other provinces exposed to unregulated marketing. Furthermore, the delay in passing Bill C-252, which aims to amend the Food and Drugs Act to restrict food marketing to children, continues to hinder progress. This prolonged legislative process highlights the urgent need for more stringent federal regulations to provide comprehensive and consistent protection for children across the country.¹⁰⁹

6.2 Chile

Chile's robust legislation against food marketing has significantly curtailed the advertising of HFSS foods and has served as an example to other nations in their efforts against HFSS food marketing. Implemented measures include the introduction of mandatory Front-of-Pack Warning labels, comprehensive regulation of traditional media for children under 14, and regulation of child focused locations. Thanks to the legislative measures adopted, children's exposure to HFSS food marketing on TV and the purchase of nutritionally poor food and drink products significantly decreased. Nevertheless, a significant number of children are reportedly still overweight and obese. In 2018, the prevalence of obesity was of 23.7%, 24.6% and 24.4% in four, five and six-year-old children, respectively, with 26% of children in each age group being overweight.¹¹⁰

¹⁰⁷ Ibid.

¹⁰⁸ Vergeer, L. *et al.* (2024). "The relationship between youth's exposure to unhealthy digital food marketing and their dietary intake in Canada". Available at: [Link](#)

¹⁰⁹ Ibid.

¹¹⁰ Kain, J. *et al.* (2019). "Demographic, Social and Health-Related Variables that Predict Normal-Weight Preschool Children Having Overweight or Obesity When Entering Primary Education in Chile". Available at: [Link](#)

The Legislation

The law that regulates the marketing of HFSS foods towards children in Chile is the *Ley de Etiquetado y Publicidad de los Alimentos* (Food Labelling and Advertising Law), which was enacted in 2012 and came into effect in 2016.¹¹¹ The law aims at regulating the nutritional composition of food and its advertising to promote public health and reduce diet-related chronic diseases. Key provisions of the law include restricted advertisements of food items containing sugar, saturated fats, or sodium that go above the limits established by the Ministry of Health.¹¹² It also laid out the age threshold for marketing to 14 years of age or in programmes watched by at least 20% of children,¹¹³ and banned the use of child-directed appeals such as cartoon characters, toys, child actors or incentives in marketing campaigns.

In addition, the Law introduced mandatory Front-of-Pack Warning Labels, i.e., black octagon(s) with the statement “high in” sugar, sodium, saturated fat, and/or calories for any food items that surpassed specified levels of critical nutrients,¹¹⁴ which spurred companies into action to avoid getting the seal.¹¹⁵ HFSS food and drink products were also banned from sale or promotion in schools and nurseries, including sales points within a 100-meter radius.¹¹⁶ In 2018, a second implementation phase of the law prohibited the promotion of HFSS foods on television or in movies during a time range between 6am and 10pm.¹¹⁷



Figure 8-Chilean front-of-package warning labels—black octagons (Araya, S. et al., 2018)¹¹⁸

¹¹¹ Servicio de Salud Metropolitano Sur. (n.d.). “Ley de Etiquetado de Alimentos 20.060”. Available at: [Link](#)

¹¹² Biblioteca del Congreso Nacional de Chile. (2012). “Ley 20606 | Sobre Composición Nutricional de los Alimentos y su Publicidad”. Available at: [Link](#)

¹¹³ Smith Tallie, L. et al. (2019). “Governmental policies to reduce unhealthy food marketing to children”. Available at: [Link](#)

¹¹⁴ Ibid.

¹¹⁵ Barahona, N. et al. (2021). “Ley de Etiquetado: Evaluando sus Efectos en Consumidores y Empresas de Alimentos”. Available at: [Link](#)

¹¹⁶ Ministerio de Salud; Subsecretaría de Salud Pública. (2012). “Ley 20606 | Sobre Composición Nutricional de los Alimentos y su Publicidad”. Available at: [Link](#)

¹¹⁷ Global Food Research Programme. (2023). “GFRP-UNC Marketing map 2023-03”. Available at: [Link](#)

¹¹⁸ Available at: [Link](#)

The implementation of the law is monitored by the Ministry of Health, in coordination with other government agencies, academia, NGOs and consumer associations. For broadcast restrictions, the Television National Council signed an agreement for monitoring all advertisements and supporting the government in enforcing the law. Sanctions for breaching the law include reprimands, fines or prohibition from selling an advertised product.¹¹⁹

Following the implementation of the law, profound changes in attitudes were found toward food purchases, leading to a decline in HFSS foods purchase, as well as a reduction in the production of products required to carry warning labels, suggesting that manufacturers reformulated their products to make them healthier and avoid such warning labels. Thanks to the application of warning labels to food and drink packages, calories purchases declined by 24% (49 kcal) per person per day, with sodium and sugar purchases decreasing respectively by 37% (97mg) and 27% (21 kcal).¹²⁰ The implementation of the law led to a significant decrease in overall purchases of calories, despite increases in purchases of products without warning labels. Purchases of all food and beverages indeed decreased by 4%, with sugar purchases declining by 10%, sodium purchases by 5% and saturated fat by 4%.¹²¹ Furthermore, TV ads for HFSS foods decreased from 41.9% to 14.8% after the implementation of the law, with a 44% decrease of children's exposure to HFSS food advertisements.¹²² This reduction did not differ by socioeconomic position¹²³ and was particularly evident when the policy prohibited all marketing content directed at children between 6am and 10pm, resulting in significantly greater reductions compared to the impact of restrictions aimed solely on child-focused ad content and placement.¹²⁴ Lastly, the law has had no observable impact on the outcomes of the industry labour market, including aggregate employment and average real wages.¹²⁵ Overall, the law improved the nutritional content of the food supply, reduced unhealthy food marketing targeting children and helped consumers better identify unhealthy products and discouraged their consumption.

¹¹⁹ Ministry of Health of Chile. (2019). "Evaluación Ley De Alimentos N°20.606". Available at: [Link](#)

¹²⁰ Smith Tallie, L. *et al.* (2021). "Changes in food purchases after Chile's polices on food labeling, marketing, and sales in schools: a before and after study". Available at: [Link](#)

¹²¹ Gillings School of Global Public Health. (2021). "Chile's Law of Food Labeling and Advertising encourages notably healthier choices" Available at: [Link](#)

¹²² Smith Tallie, L. *et al.* (2020). "Food Advertising on Television Before and After a National Unhealthy Food Marketing Regulation in Chile, 2016–2017". Available at: [Link](#)

¹²³ Dillman Carpentier, F.R. *et al.* (2020). "Evaluating the impact of Chile's marketing regulation of unhealthy foods and beverages: pre-school and adolescent children's changes in exposure to food advertising on television". Available at: [Link](#)

¹²⁴ Dillman Carpentier, F.R. *et al.* (2023). "Restricting child-directed ads is effective, but adding a time-based ban is better: evaluating a multi-phase regulation to protect children from unhealthy food marketing on television". Available at: [Link](#)

¹²⁵ Parajea. G. *et al.* (2021). "The effects of the Chilean food policy package on aggregate employment and real wages". Available at: [Link](#)

This legislation is regarded as a pioneering effort in the fight against childhood obesity, even leading neighbouring countries such as Peru, Uruguay, and Ecuador to enact similar laws.¹²⁶ This presents Chile with a unique opportunity to lead global efforts in this area, possibly influencing international policy and setting a global standard.

Points of Caution

According to a study, while the Food Law and its revision has had a positive impact on the number of people buying HFSS foods, it has also resulted in a general rise to the price of food items in Chile, due to the higher cost of products needed to replace critical nutrients.¹²⁷ The pulling of products from shelves raises some economic concerns with the regulations, although so far there does not seem to be a negative impact on Chile's economy.¹²⁸ However, industry representatives continue to intensely lobby for the reversal of the country's food policies, which could lead to a potential future regression of food nutrition laws.¹²⁹

The study also claims that warning labels are a good instrument for categories such as cereals or yoghurts, while other categories, such as chocolates or biscuits, where consumers know that the products have high sugar contents. Furthermore, food manufacturers responded strategically to labelling implementation, reformulating products close to the threshold of critical nutrients to avoid the warning label,¹³⁰ or using taste enhancers to ensure that the reformulated product is undistinguishable from the previous version.¹³¹ Additional loopholes include a lack of restrictions on digital marketing, points of sale, brand advertising and sponsorship of sporting teams and events. Lastly, restrictions on price promotions on HFSS foods and beverages should also be considered.¹³²

Overall, despite the positive effects of the legislative measures adopted, which led to a significant decrease in the purchase of HFSS foods, Chile's burden of obesity rates in children and adolescents remain among the highest in the Latin America region.¹³³ In the future, it will be crucial to consider the evolving landscape of food marketing, going beyond traditional media and

¹²⁶ Food and Agriculture Organization. (2019). "The impact of Chile's food labelling law". Available at: [Link](#)

¹²⁷ Barahona, N. *et al.* (2021). "Ley de Etiquetado: Evaluando sus Efectos en Consumidores y Empresas de Alimentos". Available at: [Link](#)

¹²⁸ UNC Gillings School of Global Public Health. (2021). "Study finds no negative economic impact from Chilean food labelling and advertising law". Available at: [Link](#)

¹²⁹ Mialon, M. *et al.* (2020). "Food Industry Political Practices in Chile: "The Economy Has Always Been the Main Concern". Available at: [Link](#)

¹³⁰ Alé-Chilet, J. & Moshary, S. (2020). "Beyond Consumer Switching: Supply Responses to Food Packaging and Advertising Regulations". Available at: [Link](#)

¹³¹ Barahona, N. *et al.* (2023). "Equilibrium Effects of Food Labeling Policies". Available at: [Link](#)

¹³² UNICEF. (2021). "Policy brief: Marketing of unhealthy foods and non-alcoholic beverages to children". Available at: [Link](#)

¹³³ UNICEF. (2023). "Childhood overweight on the rise: Is it too late to turn the tide in Latin America and the Caribbean?". Available at: [Link](#)

including online platforms as well as defining content, placement and time-based restrictions to ensure the effectiveness of the efforts in protecting children from the marketing of nutritionally poor food.¹³⁴



6.3 United Kingdom

According to a 2022 National Health Service (NHS) statistical study, in England 1 in 7 children aged between 2 and 15 is obese. The figures also reveal that childhood obesity is more frequent for children living in the most disadvantaged areas of the country.¹³⁵ Due to the public concern about the impact that marketing of HFSS foods and beverages has on childhood obesity, the United Kingdom (UK)

has increasingly adopted legislation aiming at tackling the phenomenon.¹³⁶ Notably, the UK has implemented regulations both for broadcast and non-broadcast media, and regulation of product placement and promotion in retailers and online shops.¹³⁷ While some laws have been successfully implemented, such as the Food (Promotion and Placement) (England) Regulation on product placement, others are facing a complex and lengthy legislative process. Nonetheless, the newly elected government is committed to curb the increasing phenomenon of childhood obesity during its mandate.

The Legislation

The UK has introduced several legislations to tackle the issue of childhood obesity by specifically targeting the marketing of HFSS foods and soft drinks. Most efforts can be seen in the regulation adopted on advertisement.

The Code of Non-Broadcast Advertising, Sales Promotion and Direct Marketing (“CAP Code”) and Code of Broadcast Advertising (“BCAP Code”) include rules restricting HFSS product advertisements. Article 15.14 of the CAP Code and Article 13.9 of the BCAP Code prohibit marketing communications that encourage children to consume or purchase excessive quantities of HFSS foods. Since 2017, stricter rules protect children from HFSS food and soft

¹³⁴ Dillman Carpentier, F.R. *et al.* (2023). “Restricting child-directed ads is effective, but adding a time-based ban is better: evaluating a multi-phase regulation to protect children from unhealthy food marketing on television”. Available at: [Link](#)

¹³⁵ NHS England. (2024). “One in eight toddlers and primary school aged children obese”. Available at: [link](#)

¹³⁶ Conway, L. (2024). “Advertising HFSS food and drink to children”. Available at: [link](#)

¹³⁷ European Commission. (2021). “Food and non-alcoholic beverage marketing to children and adolescents – examples of implemented policies addressing food and non-alcoholic beverage marketing to children and adolescents”. Available at: [Link](#)

drink advertising in non-broadcast media. The CAP Code bans HFSS product advertising in online media targeting children under 16 or where children make up more than 25% of the audience.¹³⁸ Similarly, the BCAP has in effect introduced a total ban on HFSS product advertisements during or near TV programs appealing to children under 16.¹³⁹ In 2018, CAP and BCAP adopted a joint position stating that the new online advertising restrictions were well-received but suggested that if needed, more stringent regulations should be adopted to reduce the influence of food and drink companies on children's eating habits.¹⁴⁰

Amidst a surge in the number of childhood obesity cases in the UK, the Government published the "Childhood Obesity: A Plan for Action" to halve childhood obesity by 2030.¹⁴¹ Part of this plan was to tighten HFSS product advertising rules aimed at children. During 2019 consultations, the Government sought opinions on a 9pm watershed for HFSS food and drink advertisements on TV and online.¹⁴² In 2021, the Government's formal response stated that the proposed measures would remove up to 7.2 billion calories from children's diets per year. In 2022, the Health and Care Act (HCA) introduced a 9pm watershed for HFSS food and drink advertisements on TV and a ban on paid-for online HFSS product advertising.¹⁴³ These rules, initially set for January 2023, were postponed to October 2025 to give companies more time to prepare.¹⁴⁴ In September 2024, the newly elected Government confirmed the 2025 implementation without further delays.¹⁴⁵

Furthermore, in 2022 the Food (Promotion and Placement) (England) Regulation restricted HFSS product placement in retailers and online shops. The Law aims at shifting the consumers' attention towards healthier options by banning the placement of HFSS foods and beverages at shops' checkouts, aisle ends and their online equivalents (e.g., entry page, landing pages for other food categories or checkout pages).¹⁴⁶ A similar regulation targeting volume price promotions will come into force in 2025, aiming to shift promotions towards healthier foods and making it

¹³⁸ CAP. (2014). "The UK Code of Non-broadcast Advertising and Direct & Promotional Marketing, Rule 15.18". Available at: [Link](#)

¹³⁹ Department of Health. (2004). "Code of Broadcast Advertising, following Choosing Health White Paper". Available at: [Link](#)

¹⁴⁰ CAP. (2018). "Food advertising: evidence-based rules for children's multimedia lives". Available at: [Link](#)

¹⁴¹ Department of Health and Social Care. (2016). "Childhood obesity: a plan for action". Available at: [Link](#)

¹⁴² Department of Health and Social Care and Department for Digital, Culture Media and Sport. (2019). "Further advertising restrictions for products high in fat, salt and sugar". Available at [Link](#)

¹⁴³ Department for Digital, Culture, Media & Sport & Department of Health and Social Care. (2021). "Introducing further advertising restrictions on TV and online for products high in fat, salt, and sugar: government response". Available at: [Link](#)

¹⁴⁴ Boyd,A. & Zahra, F. (2024). "Ban on junk food TV adverts before 9pm to come in next year" Available at: [Link](#)

¹⁴⁵ Department of Health & Social Care & Department for Culture, Media & Sport. (2024). "Introducing further advertising restrictions on TV and online for products high in fat, salt or sugar: government response to consultation on secondary legislation". Available at: [Link](#)

¹⁴⁶ Legislation.gov.uk. (2021). "The Food (Promotion and Placement) (England) Regulation (2021) SI 2021 No.1368". Available at: [Link](#)

more accessible. These restrictions apply to medium and large retailers with more than 50 employees.¹⁴⁷

The UK also relies on retailers' self-regulation. Most supermarkets have voluntarily banned the sale of energy drinks with high sugar and caffeine levels to children under 16.¹⁴⁸ In May 2024, the Labour Party announced plans to introduce further restrictions on high-caffeine and sugar energy drink sales in England and Wales.¹⁴⁹ These plans were later confirmed in September 2024.¹⁵⁰

Points of Caution

In recent years, there has been a noticeable increment of attention and policy deliberation on restricting marketing of HFSS food and beverages targeting children. However, the implementation of measures was often plagued by delays. A clear example of this is the long consultation process for the adoption of the 9pm watershed for HFSS food and drink advertisements on TV and the ban on paid-for online HFSS product advertising, which will only be implemented in 2025, seven years after the initial tabling of the discussion.

Moreover, according to the results of the 2022 consultations, there is still uncertainty as to the exact product and business scope of the regulation. The Government has declared that it will provide for further guidance before the restrictions come into effect. It has, however, disclosed that several HFSS products will not be covered by the advertising bans, such as infant formula, total diet replacements for weight control products, supplements and drinks used for medicinal purposes. The rationale behind this decision is to avoid overlapping restrictions where certain products are already regulated by separate regulatory regimes.¹⁵¹

Despite some uncertainties driven by lengthy consultations and difficulties in addressing the scope of the advertisement ban measure, there has been an overall positive response to the introduction of the restriction by the public.¹⁵²

¹⁴⁷ Department of Health & Social Care. (2023). "Restricting promotions of products high in fat, sugar or salt by location and by volume price: implementation guidance". Available at: [Link](#)

¹⁴⁸ Conway, L. (2024). "Advertising HFSS food and drink to children". Available at [Link](#)

¹⁴⁹ Gov.uk. (2024). "The King's Speech 2024". Available at: [Link](#)

¹⁵⁰ Department of Health & Social Care & Department for Culture, Media & Sport. (2024). "Introducing further advertising restrictions on TV and online for products high in fat, salt or sugar: government response to consultation on secondary legislation". Available at: [Link](#)

¹⁵¹ Ibid.

¹⁵² Boyd, A. & Zahra, F. (2024). "Ban on junk food TV adverts before 9pm to come in next year". Available at: [Link](#)

7. Summary of Main Observations & Recommendations to EU Policy Makers



The report reveals that marketing of HFSS foods targeting children is widespread and inadequately regulated across the EU. This contributes to rising rates of obesity and other diet-related non-communicable diseases. The key findings emphasise that existing regulations are not sufficient and self-regulatory initiatives by the industry are ineffective, allowing loopholes that expose vulnerable populations to harmful marketing practices.

The country analysis reveals diverse approaches to regulating HFSS food marketing to children, varying significantly across countries in terms of age thresholds, restricted TV advertising hours, targeted mediums, number of regulations, and enforcement strength. While Chile and UK have taken significant steps to regulate HFSS food marketing towards children, many still rely on an insufficient number of measures or ineffective self-regulation, as seen in Denmark, France and Ireland. Stronger regulations are on the horizon in several countries, such as Spain, the UK, and Canada, demonstrating growing momentum toward stricter protections. However, industry lobbying and legislative delays impede the implementation of these measures.

Overall, the analysis highlights the need for a comprehensive, mandatory regulation across the EU to protect vulnerable populations from aggressive food marketing tactics.

In light of the results of the report, SAFE has developed a list of recommendations for EU policymakers to strengthen the regulation of HFSS food marketing, with a focus on protecting vulnerable consumers, particularly children.

1. EU-Wide Ban on Marketing of HFSS Foods targeting Children

- The European Union should adopt a legislation to **regulate the exposure of children** (up to 18 years old) **to marketing** of nutritionally poor and ultra-processed foods on broadcast media (including television and radio) from 6am to 11pm.

- The legislation should be sufficiently **comprehensive** as to minimise the risk of finding regulatory gaps that would still allow manufacturers to advertise HFSS food products, such as the migration of marketing to other media or spaces or age groups.
- **Digital marketing** should be strictly regulated by extending rules to include social media influencers, in-app promotions, and online advertising. This includes controlling content targeted at children via games, YouTube, social media and apps.
- The use of child-targeted marketing techniques on **food packaging** should be stopped. Moreover, characters appealing to children, including licensed characters, influencers and celebrities popular with children should not promote HFSS food products to children. Additional marketing techniques such as the offer of toys, gifts, games, claims appealing to children, etc., should not be used by business operators.
- Marketing of nutritionally poor foods should also be regulated in the **press and other printed publications**, limiting advertisements of HFSS foods to publications intended for adults only or food trade professionals.
- **Sponsorships** of events (such as sports or cultural events) by food business operators should be regulated, and sampling and distribution of nutritionally poor food should be prohibited.

2. Front-of-Pack Warning Label

- Include **Front-of-Pack Warning Labels** for foods high in sugar, salt or fat and with a high processing degree. Such labels should be transparent, intuitive and substantiated with verifiable data, and should help consumers to easily recognise the healthier food choices.

3. Legislation for Retailer-Side Product Placement

- Establish **clear guidelines for product placement and promotions** in retail environments, ensuring that HFSS foods are not prominently displayed or promoted. More specifically, implement specific measures to **prevent HFSS products from being placed at children's eyesight**.

4. Strengthen Monitoring and Enforcement

- Create a **robust enforcement mechanism** to monitor compliance, appoint legal authorities to enforce the new marketing regulations, and penalise violations. This system should be complemented by a **monitoring and evaluation framework** to continuously assess policy success and make adjustments as necessary.

6. Educational Campaigns and Public Awareness

- Accompany HFSS food marketing restrictions with **public awareness campaigns and educational initiatives** targeting both children and parents, promoting understanding of nutritional content, marketing tactics, and healthy food choices.

By adopting these recommendations, EU policymakers can establish a robust regulatory framework to protect children from the harmful effects of HFSS food marketing and promote healthier food environments across Europe.

8. Conclusions

This report analysed the crucial issue of HFSS food marketing, particularly its detrimental impact on vulnerable populations, with a focus on children. The findings reveal significant gaps in existing regulations across EU Member States, with many relying on ineffective self-regulation or insufficient regulations, which allows harmful marketing practices to continue. The country analysis shows that, while some nations have made progress, robust and mandatory regulations are still needed across the EU to protect consumers from aggressive marketing techniques that promote HFSS foods.

With this report, SAFE aims to call the EU to develop a stronger legal framework that shield consumers, especially children, from deceptive marketing tactics that promote HFSS foods, with the aim of enhancing the overall health of European consumers. Immediate action is needed to address these regulatory gaps and implement comprehensive policies that prioritise the well-being of EU citizens. By adopting the proposed recommendations, EU policymakers can take decisive steps toward a healthier and more equitable food environments for all.

Bibliography

- Ad Standards. (2023). "Code for the Responsible Advertising of Food and Beverage Products to Children. *Ad Standards*." Available at: [Link](#)
- Agencia Española Seguridad alimentaria y Nutrición. (2022). "Real Decreto sobre publicidad de alimentos y bebidas dirigida al público infantil". *Aesan*. Available at: [Link](#)
- Agencia Española de Seguridad Alimentaria y Nutrición. (2019). "Surveillance study on nutrition, physical activity, child development and obesity". *Aesan*. Available at: [Link](#)
- Alé-Chilet, J. & Moshary, S. (2020). "Beyond Consumer Switching: Supply Responses to Food Packaging and Advertising Regulations." *SSRN*. Available at: [Link](#)
- Alex Boyd & Zahra Fatima. (2024). "Ban on junk food TV adverts before 9pm to come in next year." *BBC*. Available at: [Link](#)
- An Roinn Slainte Department of Health. (2016). "A healthy weight for Ireland Obesity policy and action plan". *Healthy Ireland*. Available at: [Link](#)
- ARCOM. (2023). "Evaluation de la charte alimentaire." *ARCOM*. Available at: [Link](#)
- Ares, G. et al. (2018). "Product reformulation in the context of nutritional warning labels: Exploration of consumer preferences towards food concepts in three food categories." *Food Research International*. Available at *ScienceDirect*: [Link](#)
- ASAI. (2016). "Code of Standards for Advertising and Marketing Communications in Ireland." *Ad Standards*. Available at: [Link](#)
- Augusto Monteiro, C. et al. (2019). "Ultra-processed foods, diet quality, and health using the NOVA classification system". *FAO Knowledge Repository*. Available at: [Link](#)
- Autorité de régulation professionnelle de la publicité. (2023). "Bilan publicité et comportements alimentaires". *ARPP*. Available at: [Link](#)
- Barahona, N. et al. (2021). "Ley de Etiquetado: Evaluando sus Efectos en Consumidores y Empresas de Alimentos". *Ciper 17 Chile*. Available at: [Link](#)
- Barahona, N. et al. (2023). "Equilibrium Effects of Food Labeling Policies". *Econometrica*. Available at *The Econometric Society*: [Link](#)
- Broadcasting authority of Ireland. (n.d.). "Codes & Standards". *BAI*. Available at: [Link](#)
- CAP. (2014). "The UK Code of Non-broadcast Advertising and Direct & Promotional Marketing, Rule 15.18". *ASA*. Available at: [Link](#)
- Committees of Advertising Practice. (2018). "Food advertising: evidence-based rules for children's multimedia lives". *CAP*. Available at: [Link](#)
- Cavero Esponera, C. et al. (2022). "Public Opinion on Food Policies to Combat Obesity in Spain". *International Journal of Environmental Research and Public Health*. Available at *MDPI*: [Link](#)

Conway, L. (2024). "Advertising HFSS food and drink to children". *House of Commons Library*. Available at UK Parliament: [Link](#)

Danish Food and Drink Federation. (2024). "Food advertising for children". *DI Fødevarer*. Available at: [Link](#)

Danish Veterinary and Food Administration. (2024). "Nutrition and labelling". *Fødevarestyrelsen*. Available at: [Link](#)

Department for Digital, Culture, Media & Sport & Department of Health and Social Care. (2021). "Introducing further advertising restrictions on TV and online for products high in fat, salt, and sugar: government response". *Gov.uk*. Available at: [Link](#)

Department of Health & Social Care & Department for Culture, Media & Sport. (2024). "Introducing further advertising restrictions on TV and online for products high in fat, salt or sugar: government response to consultation on secondary legislation". *Gov.uk*. Available at: [Link](#)

Department of Health & Social Care. (2023). "Restricting promotions of products high in fat, sugar or salt by location and by volume price: implementation guidance". *Gov.uk*. Available at: [Link](#)

Department of Health and Social Care and Department for Digital, Culture Media and Sport. (2019). "Further advertising restrictions for products high in fat, salt and sugar". *Gov.uk*. Available at [Link](#)

Department of Health and Social Care. (2016). "Childhood obesity: a plan for action". *Gov.uk*. Available at: [Link](#)

Department of Health. (2004). "Code of Broadcast Advertising, following Choosing Health White Paper". *The National Archives*. Available at: [link](#)

Dillman Carpentier, F.R. et al. (2020). "Evaluating the impact of Chile's marketing regulation of unhealthy foods and beverages: pre-school and adolescent children's changes in exposure to food advertising on television". *Public Health Nutrition*. Available at *National Library of Medicine*: [Link](#)

EIT Food. (2024). "Consumer perceptions unwrapped: ultra-processed foods (UPF)". *EIT Food*. Available at: [Link](#)

EPHA. (2021). "Blueprint Food Marketing Directive". *EPHA*. Available at: [Link](#)

EPHA. (2021). "Call to protect children from the marketing of nutritionally poor food". *EPHA*. Available at: [Link](#)

EU Pledge. (n.d.). "About the EU Pledge". *EU Pledge*. Available at: [Link](#)

European Commission. (2021). "Food and non-alcoholic beverage marketing to children and adolescents – examples of implemented policies addressing food and non-alcoholic beverage marketing to children and adolescents". *European Commission*. Available at: [Link](#)

European Parliament. (2024). "Legislative framework for sustainable food systems". *Legislative Train Schedule European Parliament*. Available at: [Link](#)

Food and Agriculture Organization. (2019). "The impact of Chile's food labelling law". *FAO*. Available at: [Link](#)

Gillings School of Global Public Health. (2021). "Chile's Law of Food Labeling and Advertising encourages notably healthier choices". *UNC Gillings School of Global Public Health*. Available at: [Link](#)

Global Food Research Programme. (2023). "GFRP-UNC Marketing map 2023-03". *Global Food Research Programme UNC-Chapel Hill*. Available at: [Link](#)

Global Obesity Observatory. (2020). "Spain". *World Obesity*. Available at: [Link](#)

Global Obesity Observatory. (2022). "Ranking (% obesity by country)". *World Obesity*. Available at: [Link](#)

Gov.uk. (2021). "Introducing further advertising restrictions on TV and online for products high in fat, salt and sugar: government response". *Gov.uk*. Available at: [Link](#)

Gov.uk. (2024). "The King's Speech 2024". *Gov.uk*. Available at: [Link](#)

Haute Autorité de Sante. (2024). "Surpoids et obésité chez l'enfant et l'adulte : quel parcours de soin?". *HAS*. Available at : [Link](#)

Health Canada. (2022). "Front-of-package nutrition labelling". *Government of Canada*. Available at: [Link](#)

Health Canada. (2024). "Policy update on restricting food advertising primarily directed at children: Overview". *Government of Canada*. Available at: [Link](#)

HSE. (2024). "New research finds 1 in 5 primary school children living with overweight and obesity". *HSE*. Available at: [Link](#)

Jensen, J.D., & Ronit, K. (2015). "The EU pledge for responsible marketing of food and beverages to children: implementation in food companies". *European Journal of Clinical Nutrition*. Available at *National Library of Medicine*: [Link](#)

Kain, J. et al. (2019). "Demographic, Social and Health-Related Variables that Predict Normal-Weight Preschool Children Having Overweight or Obesity When Entering Primary Education in Chile". *Nutrients*. Available at *National Library of Medicine*: [Link](#)

La Moncloa. (2021). "Consumo regulará la publicidad de alimentos y bebidas dirigida a menores". *La Moncloa*. Available at: [Link](#)

Lane, M. et al. (2021). "Ultraprocessed food and chronic noncommunicable diseases: A systematic review and meta-analysis of 43 observational studies". *Obesity Reviews*. Available at *National Library of Medicine*: [Link](#)

Lardiez, A. (2024). "El Gobierno quiere prohibir en 2024 los anuncios y promociones de alimentos y bebidas con exceso de sodio, azúcares o grasas". *Democrata*. Available at: [Link](#)

Laville, M. (2023). "Mieux prévenir et prendre en charge l'obésité en France". *Sante.gouv.fr*. Available at: [Link](#)

Laville, M. (2023). "Remise du rapport 'Mieux prévenir et prendre en charge l'obésité en France'". *Sante.gouv.fr*. Available at: [Link](#)

LégiFrance. (2020). "Code de la Santé Publique". *LégiFrance*. Available at: [Link](#)

Legisinfo. (2024). "An Act to amend the Food and Drugs Act (prohibition of food and beverage marketing directed at children". *Parliament of Canada*. Available at: [Link](#)

Legislation.gov.uk. (2021). "The Food (Promotion and Placement) (England) Regulation (2021) SI 2021 No.1368". *Legislation.gov.uk*. Available at: [Link](#)

McCann FitzGerald. (2021). "New ASAI Rules on Advertising of HFSS Products". *McCann FitzGerald*. Available at: [Link](#)

Mejía, L. (2023). "Las claves del choque entre Consumo y Agricultura que bloquea el decreto para regular la publicidad infantil de alimentos insanos". *Newtral*. Available at: [Link](#)

Mialon, M. et al. (2020). "Food Industry Political Practices in Chile: The Economy Has Always Been the Main Concern". *Globalization and Health*. Available at *BMC*: [Link](#)

Ministerio de Salud, Subsecretaría de Salud Pública. (2012). "Ley 20606 | Sobre Composición Nutricional de los Alimentos y su Publicidad". *Biblioteca del Congreso Nacional de Chile*. Available at: [Link](#)

Ministry of Consumption. (2021). "Borrador de Real Decreto Sobre Regulación de la Publicidad de Alimentos y Bebidas Dirigida al Público Infantil". *Ministerio de Derechos Sociales, Consumo y Agenda 2030*. Available at: [Link](#)

Ministry of Consumption. (2021). "El Ministerio de Consumo lanza una consulta pública sobre un Proyecto de Real Decreto sobre publicidad de alimentos y bebidas dirigida al público infantil". *Aesan*. Available at: [Link](#)

Ministry of Consumption. (n.d.). "Publicidad de alimentos y bebidas dirigida a menores". *Aesan*. Available at: [Link](#)

Ministry of Health of Brazil. (2015). "Dietary Guidelines for the Brazilian Population". *Biblioteca Virtual em Saúde*. Available at: [Link](#)

Ministry of Health of Chile. (2019). "Evaluación Ley De Alimentos N°20.606". *El poder del consumidor*. Available at: [Link](#)

Monte, M. (2024). "Cibi ultra-processati: quali sono e perché fanno male". *Istituto Mario Negri*. Available at: [Link](#)

Muir, S. et al. (2023). "UK government's new placement legislation is a 'good first step': a rapid qualitative analysis of consumer, business, enforcement and health stakeholder perspectives". *BMC Medicine*. Available at *BMC*: [Link](#)

NHS England. (2024). "One in eight toddlers and primary school aged children obese". *NHS England*. Available at: [Link](#)

Nupens USP. (n.d.). "Food classification: NOVA". *Nupens USP*. Available at: [Link](#)

O Cathaoir, K. (2017). "Food Marketing to Children in Sweden and Denmark: a Missed Opportunity for Nordic Leadership". *European Journal of Risk Regulation*. Available at *Jstor*: [Link](#)

Office de la protection du consommateur. (2012). "Advertising Directed at Children under 13 Years of Age". *Office de la protection du consommateur*. Available at: [Link](#)

Pan American Health Organization. (n.d.). "Marketing of Ultra-processed and Processed Food and Non-alcoholic Drink Products". *PAHO*. Available at: [Link](#)

Parajea, G., et al. (2021). "The effects of the Chilean food policy package on aggregate employment and real wages". *Food Policy*. Available at *ScienceDirect*: [Link](#)

Roberto, C.A. et al. (2020). "The Influence of Front-of-Package Nutrition Labeling on Consumer Behavior and Product Reformulation". *Annual Review of Nutrition*. Available at *Annual Reviews*: [Link](#)

Rodrigues Petrus, R. et al. (2021). "The NOVA classification system: A critical perspective in food science". *Trends in Food Science & Technology*. Available at *ScienceDirect*: [Link](#)

Rodriguez, S. (2024). "Are current laws on marketing advertisement on HSFF products in Ireland outdated?". *European student think tank*. Available at: [Link](#)

Royo-Bordonada, M. A. et al. (2023). "Spain facing the challenge of regulating unhealthy food advertising". *The Lancet*. Available at: [Link](#)

Santé publique France. (2022). "Evolution des messages sanitaires devant accompagner les publicités de certains aliments et boissons et préconisations concernant l'encadrement du marketing des produits gras, sucrés, salés en direction des enfants". *Santé publique France*. Available at: [Link](#)

Servicio de Salud Metropolitano Sur. (n.d.). "Ley de Etiquetado de Alimentos 20.060". *Servicio de Salud Metropolitano Sur*. Available at: [Link](#)

Smith Tallie, L. et al. (2021). "Changes in food purchases after the Chilean Policies on food labelling, marketing, and sales in schools: a before and after study". *The Lancet Planetary Health*. Available at: [Link](#)

Smith Tallie, L. et al. (2019). "Governmental policies to reduce unhealthy food marketing to children". *Nutrition Reviews*. Available at *Oxford Academic*: [Link](#)

Smith Tallie, L. et al. (2020). "Food Advertising on Television Before and After a National Unhealthy Food Marketing Regulation in Chile, 2016–2017". Available at: [Link](#)

Smith Tallie, L. et al. (2020). "Experimental studies of front-of-package nutrient warning labels on sugar-sweetened beverages and ultra-processed foods: a scoping review". *American Journal of Public Health*. Available at *ResearchGate*: [Link](#)

Tomico, M. (2022). "Consumo propone prohibir que los famosos hagan publicidad de alimentos poco saludables para niños: las claves del borrador". *Newtral*. Available at: [Link](#)

Troy, S. (2024). "Surpoids et obésité : facteurs de risques et politiques de prévention". *Drees*. Available at: [Link](#)

UNC Gillings School of Global Public Health. (2021). "Study finds no negative economic impact from Chilean food labelling and advertising law". *UNC*. Available at: [Link](#)

UNICEF. (2021). "Policy brief: Marketing of unhealthy foods and non-alcoholic beverages to children". *UNICEF*. Available at: [Link](#)

UNICEF. (2023). "Childhood overweight on the rise: Is it too late to turn the tide in Latin America and the Caribbean?". *UNICEF*. Available at: [Link](#)

UNICEF. (n.d.). "Nutrition in middle childhood and adolescence". *UNICEF*. Available at: [Link](#)

United Nations. (2021). "General comment No. 25 (2021) on children's rights in relation to the digital environment". *United Nations Human Rights*. Available at: [Link](#)

Vergeer, L. et al. (2024). "The relationship between youth's exposure to unhealthy digital food marketing and their dietary intake in Canada". *Applied Physiology, Nutrition, and Metabolism*. Available at *Canadian Science Publishing*: [Link](#)

WHO Regional Office for Europe. (2024). "Commercial determinants of noncommunicable diseases in the WHO European Region". *World Health Organization Europe*. Available at: [Link](#)

World Health Organization Regional Office for Europe. (2024). "Commercial determinants of noncommunicable diseases in the WHO European Region". *World Health Organization Europe*. Available at: [Link](#)

World Health Organization. (2004). "Global Strategy on diet, physical activity, and health". *World Health Organization*. Available at: [Link](#)

World Health Organization. (2016). "Report of the Commission on Ending Childhood Obesity". *World Health Organization*. Available at: [Link](#)

World Health Organization. (2022). "Childhood Obesity Surveillance Initiative - COSI fact sheet highlights 2018-2020". *World Health Organization*. Available at: [Link](#)

World Health Organization. (2023). "Policies to protect children from the harmful impact of food marketing: WHO guideline". *World Health Organization*. Available at: [Link](#)

World Health Organization. (2024). "Obesity and overweight". *World Health Organization*. Available at: [Link](#)

Figures:

Araya, S. et al. (2018). "Identifying Food Labeling Effects on Consumer Behavior". *SSRN Electronic Journal*. Available at: [Link](#)

Crimarco, A. et al. (2021). "Ultra-processed Foods, Weight Gain, and Co-morbidity Risk". *Current Obesity Reports*. Available at: [Link](#)

Dinamo - The Norwegian Directorate of Health. (n.d.). *Helsenorge*. Available at: [Link](#)

Tijana87. (2020). *GettyImages*. Available at *FoodNavigator Europe*: [Link](#)

Global Food Research Programme. (2023). "GFRP-UNC Marketing map 2023-03". *Global Food Research Programme UNC-Chapel Hill*. Available at: [Link](#)

Spanish Government. (n.d.), "Food and beverage advertising aimed at minors". *Aesan*. Available at: [Link](#)



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