

Season's eatings:

# How the new junk food regulations will reshape Christmas advertising

16 December 2024

In recent years, Christmas TV adverts have become a hallmark of the festive season, with their debut often marking the beginning of countdown to Christmas.

Retailers invest heavily in these advertisements, showcasing lavish holiday fare like beef Wellington, yule log, and the iconic prawn ring, which many of us indulge in exclusively during the festive period.

In our Summer and Autumn Food and Drink updates, we explored the UK government's efforts to combat childhood obesity through advertising restrictions, due to come into force in October 2025. We also provided some guidance for food and drink industry businesses to prepare for compliance.

On 3 December 2024, the government released a [new guidance document](#) help businesses and regulators navigate these changes effectively.

But what impact will these new advertising restrictions have on our cherished Christmas adverts?

## Highlights of the new regulations

The upcoming regulations will affect food manufacturing and retail businesses with 250 or more employees, including franchises and symbol groups. The rules will limit advertising for food and drink products considered less healthy, prohibiting broadcast TV advertising before 9 pm and a 24-hour ban on paid-for online advertising.

## Identifying affected products

To determine if a product falls under these advertising restrictions, a two-step process is employed.

1. First, it must be established whether the product belongs to one of the 13 categories identified in the regulations. These categories include soft drinks, savoury snacks, and breakfast cereals, ready meals, yoghurts, pizzas and potato products.
2. Then, the product's health score is assessed using the 2004-2005 Nutrient Profile Technical Guidance from January (2011 edition). Products with a food score of 4 or above and drinks with a score of 1 or above will face advertising restrictions.

Both criteria must be met for a product to be affected by these regulations, and all variations of food are caught by the restrictions (e.g. hot, cold, frozen, on the go etc).

## Exemptions and implications for Christmas advertising

Certain products are exempt from these regulations, including infant formula and baby foods, as well as diet replacement products with an approved health claim.

For Christmas advertising, this means major supermarkets and retailers might need to shift their focus to the freshness and local sourcing of their products. They will need to creatively divert from the traditional 'indulgence' messaging of Christmas food and find new ways to promote their offerings, such as focusing on other product lines such as clothing or homeware.

Examples of Christmas staples likely to be banned from advertising include Christmas desserts (like Christmas puddings and yule logs), gingerbread, roast potatoes, festive sandwiches, and crisps, provided they meet both criteria for restriction.

However, retailers will be happy to know that there are some exceptions. Items like roast meats, vegetables, and certain buffet foods not intended as full meals (e.g. mini sausages), along with cheese and charcuterie, are not subject to these regulations.

As these new advertising restrictions approach, it's clear that the festive advertising landscape is set for a significant transformation next year.

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## Key contacts

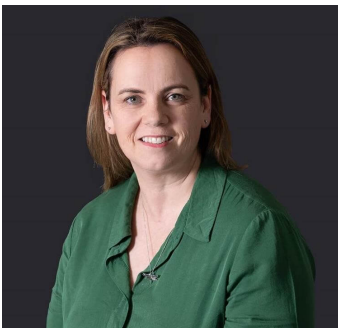


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