

Policy Brief: Banning unhealthy food and drinks advertising on state-owned assets

Overweight and obesity is driving death and disability in Australia

- Unhealthy diets, overweight and obesity are the greatest risk factors for death and disease in Australia¹, second only tobacco use.
- 1 in 4 Western Australian children are now overweight or obese² and face an increased lifetime risk of disease and early death³. Children with obesity also face increased stigma and bullying, impacting on their emotional wellbeing. They also tend to perform worse academically than their peers⁴.
- Illness from overweight and obesity cost WA hospitals \$338.7 million in 2016, and it is estimated that this will rise by 80 per cent to \$610.1 million in 2026 if increases in overweight and obesity continue⁵.
- Addressing rising rates of overweight and obesity requires coordinated strategies across multiple jurisdictions and levels of government. There is much the Western Australian Government can do including creating healthier environments by protecting children from exposure to unhealthy food and drink advertising.

Children and families are bombarded with advertising for unhealthy food and drinks

- Marketing in public spaces, at public events and on public transport is highly visible to children as they go about their daily lives.
- A 2020 audit of outdoor advertising within 500 metres of Perth schools found that 74% of outdoor food advertising was for unhealthy food, with alcohol, fast food and sugary drinks the top three most frequently advertised products⁶. This study also found food advertisements within 250m of schools were more frequent and were more likely to be for unhealthy food and alcoholic beverages in disadvantaged areas⁷.
- While personal responsibility plays a role, human behaviour is overwhelmingly influenced by our environment. The pervasive marketing and availability of unhealthy food and drinks is the single greatest driver of overweight and obesity⁸.

There needs to be a strong government-led policy response

- The Western Australia Government has set an ambitious goal to halt the rise in obesity by 2025, and to have the greatest percentage of the population with a healthy weight of all Australian States by 2029. Without taking strong action on unhealthy food and drink marketing, Western Australia is unlikely to meet this target.
- Removing unhealthy food and drink promotions from State-assets has been prioritised in the National Obesity Strategy 2022-2032⁹, the WA Health Promotion Strategic Framework 2017-2021¹⁰, the WA Preventive Health Summit 2019 Summary Report¹¹, the Final Report of the Sustainable Health Review 2019¹², the Food Policy Index Progress Update 2019¹³ and the World Health Organization's Set of Recommendations on the marketing of Foods and Non-Alcoholic beverages to Children¹⁴.
- There is public support for the government's role to protect children from unhealthy food and drink advertising, 71% of Western Australians agree that unhealthy food and drink advertising should be banned from public transport and state government owned property such as billboards and posters¹⁵.

What can the Western Australian Government do and how?

Regulatory approach: In order to reduce the exposure of children to advertising of unhealthy food and drinks, a mandatory ban of unhealthy food and drink advertising on assets owned by Western Australian government agencies and entities is recommended.

Types of advertising in scope: All unhealthy food and drink advertising on publicly-owned assets should be in-scope. It is not sufficient to focus policy action on marketing that is specifically 'directed to children' - children are exposed to all advertisements in public spaces, whether directed to them or not.

Classifying food and drinks based on their healthiness:

- Governments in Australia already have clear tools to classify food and drinks based on their healthiness. The COAG Health Council National interim guide to reduce children's exposure to unhealthy food and drink promotion was developed specifically to outline what food and drinks were unhealthy and should not be advertised in government settings¹⁶. A recent study found that this criteria works well for identifying unhealthy food that shouldn't be marketed to children; the study

found the criteria to be simple to use, aligned with Australian Dietary Guidelines advice and performed better than other independently developed criteria¹⁷. The Australian Dietary Guidelines and the Australian Guide to Healthy Eating also provide clear categories of food and drinks recommended for regular consumption ('core foods') and those that should be limited ('discretionary foods').

- It is important that marketing of brands commonly associated with unhealthy foods (e.g., for quick service restaurants or confectionery), are also included in advertising restrictions. This should be the case regardless of the type of food that is marketed alongside the brand or if the brand is marketed without food products. Marketing of brands (alone or with healthy options) that are primarily associated with unhealthy products has been shown to increase reward pathways in the brain and to increase selection and consumption of unhealthy products^{18,19}.

Importance of mandatory regulations: Mandatory regulation creates a level playing field for businesses, where compliance is not left to the voluntary commitments of industry. This removes any possibility of a company attempting to gain market advantage through non-compliance (an option that is still open to them under voluntary or self-regulation)²⁰. Strong and consistent independent evaluations assessing the effectiveness of both **government-led voluntary regulation** and **industry-led self-regulation** indicate that the impact of both approaches on reducing the exposure and power of marketing to children is limited²¹. Research in Australia has found that the frequency of food advertising and children's exposure to unhealthy food marketing remained unchanged despite the implementation of industry self-regulatory pledges²².

How have other jurisdictions regulated unhealthy food advertising on publicly-owned assets?

- Several jurisdictions have successfully implemented regulations that ban the advertising of unhealthy food and drinks on publicly-owned assets (refer to table). The Australian Capital Territory has banned unhealthy food and drink advertising on public transport and/or stations. A number of other jurisdictions have implemented broader healthy food policies, which include marketing in outdoor spaces and on publicly owned assets. Alcohol advertising has been removed from Public Transport Authority assets in Western Australia.
- Commercial advertising income in London increased the year post policy implementation²³ and the policy has been effective in decreasing predicted purchasing of unhealthy food and drinks²⁴.

Table: Summary of policies that have specifically banned unhealthy food and drink advertising on publicly-owned assets

Jurisdiction	Policy objective/scope	Food classification system	Advertising content and mediums	Monitoring system
London (2019)	The TfL (Transport for London) advertising policy was revised in 2019 to update standards for approval of advertisements. Under this revision, the promotion (directly or indirectly) of food or non-alcoholic drink which is high in fat, salt and/or sugar (HFSS) cannot be advertised on services run or regulated by TfL. The policy is integrated with the London Food Strategy ²⁵ .	Public Health England's Nutrient Profiling Model used to classify high fat, sugar and/or salt (HFSS) products ²⁶ .	Content: Graphics and text promoting HFSS foods and drinks (visual content, in-text references, brands, incidental placement) Mediums: Includes London Underground, rail, buses, overground, light railway, roads (e.g. roundabouts and bus stops owned by TfL) Exemptions: If an advertiser can show that the product does not contribute to HFSS diets; incidental features that do not promote a HFSS product. Brands can be included if the advertisement promotes healthy products as the basis of the advertisement (e.g. sugar free drink) ²⁶ .	Annual reports from TfL show advertising revenue increased over the year pre and post implementation of the ban ²³ . Evaluation of the policy has shown it effective at decreasing predicted purchases on unhealthy food and drinks. It showed an average 6.7 per cent (1001 calories) decrease in energy from unhealthy food and drink purchases in people's weekly shopping, and a 19.4 per cent (317.9 calories) decrease in energy from chocolate and confectionery, compared to what was expected without the advertising restrictions ²⁴ .

Jurisdiction	Policy objective/scope	Food classification system	Advertising content and mediums	Monitoring system
Australian Capital Territory (2016)	Part of the ACTION bus services advertising policy, which includes restrictions on the promotion of unhealthy food on government-run bus services and light rail to ensure that the promotion of products is appropriate for the broader population and aligns with the values of the community and Government objectives ²⁷ . Stated alignment with the Towards Zero Growth: Healthy Weight Action Plan.	Unhealthy food and drinks as defined by the Australian Dietary Guidelines and associated Australian Guide to Healthy Eating ²⁷ .	Mediums: Government-run buses and light rail.	n/a
Amsterdam (2018)	To ban billboard advertisements for unhealthy products targeted at children and teenagers (up to 18 years of age) in any of Amsterdam's 58 metro stations as part of their Healthy Weight Program ^{28,29} .	National nutrition guidelines (Wheel of 5) from the Netherlands Nutrition Centre.	Mediums: Billboards at metro stations (n=58).	n/a
Brazil (2016)	Part of a broader Ordinance (No 1.274) on healthy food procurement to address overweight, obesity and non-communicable diseases and based on the right to adequate food. Included in the Ordinance is the prohibition of advertisements and sales promotions of ultra-processed food products on the premises of the Ministry of Health and its entities ³⁰ .	Ultra-processed products defined by the Pan American Health Organization's Nutrient Profiling Model: food mainly produced from the processing of unprocessed food and/or other organic matter, containing ≥ 1 mg of sodium per 1 kcal, $\geq 10\%$ of total energy from free sugars, $\geq 30\%$ of total energy from total fat, $\geq 10\%$ of total energy from saturated fat and $\geq 1\%$ of total energy from trans fat ³⁰ .	Mediums: Ministry of Health premises and entities.	The Brazilian Ministry of Health is responsible for monitoring and evaluation.

n/a = information not available

References

- ¹Australian Institute of Health and Welfare. Australian Burden of Disease Study: impact and causes of illness and death in Australia 2015. Australia: Australian Institute of Health and Welfare; 2019 June 13. Available from: <https://www.aihw.gov.au/reports/burden-of-disease/burden-disease-study-illness-death-2015/contents/table-of-contents>
- ²Australian Institute of health and Welfare. Overweight and obesity among Australian children and adolescents. Australia: Australian Institute of health and Welfare; 2020 August 13. Available from: <https://www.aihw.gov.au/reports/overweight-obesity/overweight-obesity-australian-children-adolescents/contents/summary>
- ³Australian Institute of Health and Welfare. Overweight and obesity in Australia: an updated birth cohort analysis. Australia: Australian Institute of Health and Welfare; 2020. Available from: <https://www.aihw.gov.au/reports/overweight-obesity/overweight-obesity-updated-birth-cohort-analysis/contents/background-data-sources-and-methods>
- ⁴Telford RD, Cunningham RB, Fitzgerald R, Olive LS, Prossor L, Jiang X, et al. Physical education, obesity, and academic achievement: a 2-year longitudinal investigation of Australian elementary school children. *Am J Public Health*. 2012;102(2):368-374. doi: 10.2105/AJPH.2011.300220
- ⁵Beswick AZ, Ambrosini GL, Radomiljac A, Tomlin S, Chapman AM, Maticевич J, Winstanley M, Kirkland L. The burden and cost of excess body mass in Western Australian adults and children. Western Australia: Department of Health; 2020 May 14. Available from <https://ww2.health.wa.gov.au/Reports-and-publications/The-burden-and-cost-of-excess-body-mass-in-Western-Australian-adults-and-children>
- ⁶Sacks G, Robinson E. Policies for tackling obesity and creating healthier food environments: 2019 Progress update Australian governments. Australia: Deakin University; 2019 April 2. Available from <https://apo.org.au/node/227946>
- ⁷Trapp G, Hooper P, Thornton L, Mandzufas J, Billingham W. Audit of outdoor food advertising near Perth schools: Building a local evidence base for change. Australia: Telethon Kids Institute; 2020. Available from <https://www.telethonkids.org.au/globalassets/media/documents/projects/junk-food-advertising.pdf>
- ⁸Swinburn BA, Sacks G, Hall KD, McPherson K, Finegood DT, Moodie ML, et al. The global obesity pandemic: shaped by global drivers and local environments. *Lancet*. 2011;378(9793):804-814. doi: [https://doi.org/10.1016/S0140-6736\(11\)60813-1](https://doi.org/10.1016/S0140-6736(11)60813-1)
- ⁹National Obesity Strategy 2022–2032 Available from <https://www.health.gov.au/resources/publications/national-obesity-strategy-2022-2032>
- ¹⁰Chronic Disease Prevention Directorate. Western Australian Health Promotion Strategic Framework 2017–2021. Western Australia: Department of Health; 2017. Available from <https://ww2.health.wa.gov.au/-/media/Files/Corporate/Reports-and-publications/HPSF/WA-Health-Promotion-Strategic-Framework-2017-2021.pdf>
- ¹¹Department of Health, Mental Health Commission, Healthway. WA Preventative Health Summit: Action on Obesity and Alcohol. What needs to change? Western Australia: Department of Health; 2018. Available from <https://www.healthywa.wa.gov.au/-/media/Files/HealthyWA/New/WA-Preventive-Health-Summit/Summary-report-key-themes.pdf>
- ¹²Sustainable Health Review. Sustainable Health Review: Final report to the Western Australian Government. Western Australia: Department of Health; 2019. Available from <https://ww2.health.wa.gov.au/-/media/Files/Corporate/general-documents/Sustainable-Health-Review/Final-report/sustainable-health-review-final-report.pdf>
- ¹³The Australian Prevention Partnership Centre, Deakin University, Informas. 2019 Food Policy Index Progress Update. Australia: Globe Obesity Prevention Centre; 2019. Available from <https://globalobesity.com.au/2019-food-policy-index-progress-update/>
- ¹⁴World Health Organization. Set of recommendations on the marketing of foods and non-alcoholic beverages to children. Switzerland; 2010. Available from: https://apps.who.int/iris/bitstream/handle/10665/44416/9789241500210_eng.pdf;jsessionid=9C7300D7DB612305E29457DC29E0993D?sequence=1
- ¹⁵Gascoyne C et al, 2021, Shape of Australia 2021 Survey: Final Report, Centre of Behavioural Research in Cancer, Cancer Council Victoria.
- ¹⁶COAG Health Council. Promoting and supporting healthy food and drink choices food promotion. Australia; 2018. Available from: https://extranet.who.int/ncdccc/Data/AUS_B19_Module%20II%20Q19%20National%20Interim%20Guide%20to%20Reduce%20Children's%20Exposure%20to%20Unhealthy%20Food%20and%20Drink%20Promotion.pdf
- ¹⁷Watson WL, Khor PY, Hughes C. Defining unhealthy food for regulating marketing to children—What are Australia's options? *Nutrition & Dietetics*. 2021
- ¹⁸Boyland EJ, Kavanagh-Safran M, Halford JC. Exposure to 'healthy' fast food meal bundles in television advertisements promotes

- liking for fast food but not healthier choices in children. *Br J Nutr.* 2015;113(6):1012–1018. doi: 10.1017/S0007114515000082
- ¹⁹Masterson TD, Stein WM, Beidler E, Bermudez M, English LK, Keller KL. Brain response to food brands correlates with increased intake from branded meals in children: an fMRI study. *Brain Imaging Behav.* 2019;13(4):1035–1048. doi: 10.1007/s11682-018-9919-8
- ²⁰Garde. A., Hjeffery. B., Rigby. N. Implementing the WHO recommendations whilst avoiding real, perceived or potential conflicts of interest. *European Journal of Risk Regulation.* 2017;8(2):237–250. doi: <https://doi.org/10.1017/err.2017.22>
- ²¹Ronit K, Jensen JD. Obesity and industry self-regulation of food and beverage marketing: a literature review. *Eur J Clin Nutr.* 2014;68(7):753–759. doi: 10.1038/ejcn.2014.60
- ²²Watson WL, Lau V, Wellard L, Hughes C, Chapman K. Advertising to children initiatives have not reduced unhealthy food advertising on Australian television. *J Public Health (Oxf).* 2017;39(4):787–792. doi: 10.1093/pubmed/fox004
- ²³Transport for London. Annual Report and Statement of Accounts 2019/20 – 29 July 2020. London, UK: Transport of London; 2020. Available from: <http://content.tfl.gov.uk/tfl-annual-report-2019-20.pdf>
- ²⁴Yau A, Berger N, Law C, Cornelsen L, Greener R, et al. (2022) Changes in household food and drink purchases following restrictions on the advertisement of high fat, salt, and sugar products across the Transport for London network: A controlled interrupted time series analysis. *PLOS Medicine* 19(2): e1003915. Available from <https://doi.org/10.1371/journal.pmed.1003915>
- ²⁵Transport for London. Transport for London Advertising Policy. London, UK: Transport of London; 2019. Available from: <http://content.tfl.gov.uk/tfl-advertising-policy-250219.pdf>
- ²⁶TfL Ad Policy: Approval Guidance Food and Non-Alcoholic Drink Advertising. London, UK. <http://content.tfl.gov.uk/policy-guidance-food-and-drink-advertising.pdf>
- ²⁷ACT Government. Advertising on Transport Canberra buses and light rail. Australia: ACT Government; 2020. Available from: https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1309/~transport-canberra-bus-and-light-rail-advertising
- ²⁸European Commission. Health Equity Pilot Program, Amsterdam Healthy Weight Programme Case Study. Netherlands: European Commission; 2018. Available from: https://ec.europa.eu/health/sites/health/files/social_determinants/docs/hepp_case-studies_07_en.pdf
- ²⁹Hawkes C, Russell S, Isaacs A, Rutter H, Viner R. What can be learned from the Amsterdam Healthy Weight programme to inform the policy response to obesity in England? Obesity Policy Research Unit (OPRU): Rapid response briefing paper. London, UK: World Obesity Federation. Available from: http://s3-eu-west-1.amazonaws.com/wof-files/What_can_be_learned_from_the_Amsterdam_Healthy_Weight_Programme_to_inform_the_policy_response_to_obesity_in_England.pdf
- ³⁰World Cancer Research Fund International. NOURISHING Policy Database. Policy Action: Ordinance on advertisement and sales promotions of ultra-processed food on Ministry of Health premises. London, UK. <https://policydatabase.wcrf.org/level-one?page=nourishing-level-one#step2=3#step3=332>
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