

This consultation seeks views on mandatory calorie labelling in the out-of-home sector as part of 'Childhood obesity: a plan for action, chapter 2'. More information is available on the [gov.uk](http://gov.uk) website

**I. Do you think that calorie labelling should be mandatory for all out-of-home businesses?**

**Yes**

We support the Government proposals to introduce legislation to make calorie labelling mandatory for all out-of-home businesses. We know that one fifth of children regularly eat from out-of-home venues – at least once a week.<sup>1</sup> The causes of obesity in childhood are multifaceted, and must address the obesogenic environment as well as look at genetic and epigenetic factors. Given this, effective obesity prevention requires a coordinated response across a wide range of stakeholders including parents, children, businesses and civil society actors, in addition to government.

Evidence suggests that calorie labelling, including in the out-of-home sector, can help to reduce the number of calories that people consume.<sup>2</sup> One meta-analysis of six studies showed that among those who noticed calorie labelling, purchased calories reduced by 124.5 calories.<sup>3</sup> This particular policy would bring labelling of food eaten out of home in pubs, cafes, takeaways and restaurants, in line with food sold in the retail sector, and support informed decision-making, as well as creating a level playing field for both consumers and industry.

The RCPCH recommends mandatory food labelling be introduced for all food and drink sold in all out-of-home businesses. This is supported by the public; in recent data collected by Diabetes UK respondents agreed the legislation should apply to chain restaurants (97%), medium sized businesses (95%), small businesses (78%) and micro businesses with fewer than ten employees (60%).<sup>4</sup>

Children today are growing up in an obesogenic environment, with the high street awash with fast food outlets and advertising for unhealthy food and drinks. Tackling childhood obesity is everyone's business, which is why it's great to see Government consulting on

<sup>1</sup> Public Health England, Health matters: obesity and the food environment, 2017

<sup>2</sup> Crockett RA et al. (2018). Nutritional labelling for healthier food or non-alcoholic drink purchasing and consumption. Cochrane Database of Systematic Reviews.)

<sup>3</sup> Nikolaou CK, Hankey CR, Lean MEJ. Calorie labelling: does it impact on calorie purchasing in catering outlets and the views of young adults, International Journal of Obesity volume 39, pages 542-545 (2015).

<sup>4</sup> *Food labelling in restaurants, cafes and takeaways*, Diabetes UK survey of 1,976 people conducted between 9 and 23 October 2018.

action to support solutions to this growing problem. We want to enable the healthy option to be the easier option, which clear nutritional labelling across all businesses will support.

**2. Do you think that the calorie labelling requirement should apply to all food and drink items an out-of-home business offers?**

**Yes**

The RCPCH recommends mandatory calorie labelling be introduced for all food and drink, including special and temporary menu items. Mandatory calorie labelling will create a level playing field, supporting families to easily compare products and make informed choices. Variation in the type of products labelled, coupled with variation in the way products are labelled only ensures that food choices remain complicated for families. Without mandatory calorie labelling, there is limited incentive for the food and drink industry to label food products where this may lead to an obvious decline in sales.

**3. Micro-businesses (those with fewer than 10 employees) may find this requirement harder to implement. Which of the following approaches do you most agree with?**

- *Micro-businesses are covered by the requirement in the same way as other businesses*
- *Micro-businesses are excluded from the requirement altogether*
- *Micro-businesses are covered by the requirement, but given a longer implementation period (if choosing this option, please state how long you think the implementation period for micro-businesses should be)*
- *Other (please provide details)*

**Option A**

The RCPCH recommends mandatory calorie labelling be introduced for all food and drink, across all businesses, regardless of size. Mandatory calorie labelling will create a level playing field, supporting families to easily compare products and make informed choices.

We recognise that smaller/micro businesses may find implementation more difficult, and would support additional special measures for these, including an extra year of implementation time and strongly encourage use of a standard tool to support calorie calculations.

**4. As well as the number of calories per portion of the food item, do you think calorie labels should show that number as a proportion of the recommended daily intake?**

**No**

Displaying calories as a percentage of recommended daily intake (RDI) calorie information is established across the retail sector, and provides families with contextual information to help keep track of their daily energy intake. Showing the calories present as a

percentage of RDI can affect choices made, and as a consequence can drive reformulation of food items.

However, we would like to add a note of caution regarding recommended daily intake for children and young people. Recommended calorie intake information is usually based on the daily reference intake for an adult woman. However, for children, there is no set recommended daily calorie intake. Figures exist, varying with age, however these are only a guide. Children and young people may need more or less energy depending on a number of factors, including how physically active they are.

While the amount of energy, or calories, that children and young people need is important, they should also eat a healthy, balanced diet, including a variety of fruit and vegetables, starchy foods, milk and dairy products and protein.

We also note that placing recommended intake information on menus may cause distress for particular vulnerable groups, including those suffering from eating disorders. We recommend that focus is maintained on encouraging healthy behaviours, and that education and public health campaigns are introduced alongside any new labelling systems to emphasise this, and minimise risk of distress.

We therefore recommend that information on calories as a proportion of recommended daily calorie intake should only be available on request across the out-of-home sector.

**5. Would you find it helpful or unhelpful for information on kilojoule content to be displayed alongside information about calorie content?**

**Unhelpful**

We do not feel KJ information is necessary. We suggest that labelling is kept as simple and clear as possible to avoid confusion for families. This was supported in a recent Diabetes UK survey, where only 32% of respondents said inclusion of KJ information was very or fairly important to them.<sup>5</sup>

**6. Is there any other interpretative information that you think should be displayed on calorie labels, e.g. 'traffic light' ratings for calorie content, or the exercise equivalent of the number of calories?**

**Yes**

Research has shown that traffic-light labelling achieves high levels of comprehension among consumers and can overcome barriers in labelling interpretation.<sup>6</sup>

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<sup>5</sup> *Food labelling in restaurants, cafes and takeaways*, Diabetes UK survey of 1,976 people conducted between 9 and 23 October 2018.

<sup>6</sup> BMRB (2009) *Comprehension and use of UK nutrition signpost labelling schemes*, report prepared for the Food Standards Agency

Currently there are no set criteria for determining the amount of low, medium or high calories is in a particular food. Everyone has an individual requirement for the amount of calories they need each day, which is based on a number of factors, including their current weight and activity level.

We would prefer a traffic light labelling system similar to that used in retail, referring to other nutrients making up menu items – rather than calories. However, we recognise that on out-of-home menus this has high potential to cause confusion, as well as be logistically challenging with limited space.

We therefore recommend that traffic light ratings for fat, saturated fat, sugar and salt should be available on request and online across the out-of-home sector. Where out-of-home food is pre-packaged, we would support provision of full traffic light labelling at the point of choice, to create consistency between similar food items bought out-of-home and in retail.

Tackling labelling in the out-of-home sector is a welcome start, but we would like to see Government go further and commit to ensuring comprehensive front of pack ‘traffic light’ labelling in the retail sector is protected as part of Brexit negotiations and any future trade deals

**7. Do you think that calorie information should be displayed in establishments at the point of choice?**

**Yes**

Calorie information should be displayed alongside the menu item and its price at the point of choice. Full nutritional information should be available online and on request.

**8. Would 12 months be an appropriate amount of time for businesses to implement calorie labelling?**

**Yes**

We support the proposed 12-month timeframe for implementation.

**9. Do you agree with the proposed approach for calculating the number of calories in a standard portion?**

**No**

We strongly recommend that the Government either develop or recommend an existing tool that is available to calculate the number of calories in a standard portion. This would ensure consistency in the way that calories and portions are calculated across all outlets and reduce potential consumer confusion.

**10. Do you agree with the proposed approach for businesses selling takeaway dishes through third parties?**

**Yes**

UK spending on takeaway has increased by a third since 2009<sup>7</sup>, and the emergence of smartphone apps to facilitate this makes it popular among families. Takeaway dishes have been shown to be excessive for portion size, energy, macronutrients and salt<sup>8</sup>.

We support the proposed approach that holds businesses responsible for calculating the calorie content of their food and drink, with the takeaway platform held responsible for displaying that information.

**11. We will provide businesses with written guidance to help them with calorie labelling. Do you think businesses will need any additional support?**

**Yes**

We strongly recommend that the Government either develop or recommend an existing tool that is available to calculate the number of calories and portions in a standard portion. This would ensure consistency in the way that calories are calculated across all outlets and reduce potential consumer confusion.

**12. Do you think calorie labelling would cause any practical issues for particular businesses?**

**13. If you have any suggestions for how this requirement could be enforced in a way that is fair and not overly burdensome, please provide details.**

**14. If you have any further evidence or data you wish to submit for us to consider for our final impact assessment, please provide it here.**

**15. If you have any further evidence or data that you would like to submit specifically on the likely cost that may occur to your business as a result of the proposal, please provide it here.**

*No answer to Q12-15.*

**16. Are there any other potential impacts of introducing calorie labelling, either positive or negative, that you think we should consider?**

**Yes**

We note that placing any nutritional information on menus may cause distress for particular vulnerable groups, including those suffering from eating disorders. We

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<sup>7</sup> <https://www.ig.com/uk/news-and-trade-ideas/shares-news/just-eat-and-deliveroo--what-has-the-takeaway-delivery-market-go-180622>

<sup>8</sup> Jaworowska A, et al. (2014) Nutritional composition of takeaway food in the UK, Nutrition & Food Science

recommend that focus is maintained on encouraging healthy behaviours, and that education and public health campaigns are introduced alongside any new labelling systems to emphasise this, and minimise risk of distress.

**17. Do you think that this proposal would be likely to have an impact on people on the basis of any of the following characteristics?**

- Age
- Sex
- Race
- Religion
- Sexual orientation
- Pregnancy and maternity
- Disability
- Gender reassignment
- Marriage/civil partnership

**None selected**

We would recommend that an independent comprehensive evaluation of the policy is commissioned, to measure its effectiveness and to monitor for any unintended consequences. This will ensure that the policy can be adjusted as appropriate to maximise the benefits.

**18. Do you think this proposal would help achieve any of the following aims?**

- Eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- Advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Fostering good relations between persons who share a relevant protected characteristic and persons who do not share it

*No answer*

**19. Do you think that this proposal would be likely to have any impact on people from lower socio-economic backgrounds?**

**Yes**

We know from data collected that overweight and obesity prevalence for children living in the most deprived areas is greater than it is for those living in the least deprived areas – in England this is 25.8% compared with 18.0%<sup>9</sup>. Of most concern, in England it appears that overweight and obesity may be reducing over time in the least deprived but not the most deprived areas.

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<sup>9</sup> RCPCH 2017. State of Child Health Report.

A comprehensive set of measures is needed to reduce obesity and the associated inequalities. With regards to this policy, we would suggest that consideration is given to making calorie labels easily legible and understood, and consider investment in public health campaigns to increase public knowledge of them and of healthy eating more broadly. We would recommend that potential impact on children from lower socio-economic backgrounds is closely monitored and reviewed as part of the ongoing impact assessment of this policy.

**20. If there are any further matters that you would like to raise or any further information that you would like to provide in relation to this consultation, please give details here.**

*No answer*

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#### **About the RCPCH**

The College is a UK organisation which comprises over 15,000 members who live in the UK, Ireland and abroad and plays a major role in postgraduate medical education, as well as professional standards.

#### **For further information please contact:**

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