



Why Voluntary Measures Are Not Enough: Regulating HFSS Marketing to Children

This report was produced in partnership with Healthy Food Healthy Planet (HFHP). Healthy Food Healthy Planet is a movement building organisation focused on transforming food systems in Europe. It brings together civil society and funders across Europe to foster more impactful collaboration and catalyse a stronger and more cohesive movement, paving the way towards a just, sustainable and healthy food system.

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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). In this regard, the report focuses on the effects stemming from the use of mandatory regulations and voluntary industry-led measures in selected countries, arguing that binding legislation is required to tackle the problem.

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. 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, and make large companies accountable for the health and sustainability of the food they sell to consumers.

Key recommendations for EU policymakers include implementing a mandatory 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, holds large companies accountable for the food they sell, and fosters healthier food environments across Europe.

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 world¹. 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. These figures are particularly concerning, given that the prevalence of overweight, including obesity, among children and adolescents has increased from 8% in 1990 to 20% in 2022,² and that by 2025 the total number of adults living with overweight and obesity is estimated to reach 3.80 billion, representing more than half of the projected global adult population at that time.³

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.⁴



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%).⁵ These dietary risks underscore the

critical role of healthy diets and 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

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

² World Health Organisation. (2024). “Obesity and overweight”. Available at: [Link](#)

³ The Lancet. (2025). “Global, regional, and national prevalence of adult overweight and obesity, 1990–2021, with forecasts to 2050: a forecasting study for the Global Burden of Disease Study 2021”. Available at: [Link](#)

⁴ World Health Organisation Regional Office for Europe. (2024). “Commercial determinants of noncommunicable diseases in the WHO European Region”. Available at [Link](#)

⁵ *Ibid.*

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.⁶

Food choices are influenced by a range of factors, including socio-economic status, cultural traditions, food availability, and marketing practices. Within the broader context of food environments, food marketing is a significant driver of dietary behaviours, particularly influencing 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.⁷

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,⁸ 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, the private sector vehemently opposes stricter labelling measures targeting unhealthy nutrient components.⁹

At the EU level, voluntary industry commitments, such as the EU Pledge,¹⁰ have proven ineffective in protecting children from exposure to harmful advertising, demonstrating a clear conflict of interest.¹¹ Yet, several 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.¹²

This report is primarily centred on the protection of vulnerable populations, in particular children and adolescents. 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.¹³ 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

⁶ World Health Organization. (2016). "Report of the Commission on Ending Childhood Obesity". Available at: [Link](#)

⁷ World Health Organization. (2023). "Policies to protect children from the harmful impact of food marketing: WHO guideline". Available at: [Link](#)

⁸ United Nations. (2021). "General comment No. 25 (2021) on children's rights in relation to the digital environment". Available at: [Link](#)

⁹ World Health Organisation. (2024). "Global Strategy on diet, physical, activity, and health". Available at: [Link](#).

¹⁰ EU Pledge. (n.d.), "About the EU Pledge". Available at: [Link](#)

¹¹ WHO Regional Office for Europe. (2024). "Commercial determinants of noncommunicable diseases in the WHO European Region". Available at: [Link](#)

¹² World Health Organization. (2023). "Policies to protect children from the harmful impact of food marketing: WHO guideline". Available at: [Link](#)

¹³ UNICEF. (n.d.). "Nutrition in middle childhood and adolescence". Available at: [Link](#)

marketing, relying instead on an industry-led voluntary initiative. The analysis, made-up of several case studies of legislative frameworks, reveals the need for comprehensive, mandatory measures tackling HFSS food marketing in Europe, and develops recommendations for policymakers.

1. 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 and adolescents. The primary goal of the report is to strengthen the protection of minors by contributing to a more robust legal and regulatory framework that counters deceptive marketing practices implemented by large food companies. In doing so, it underscores the need to shift responsibility from consumers to these companies and hold them accountable for the health and sustainability of the food they sell.

To complement this objective, the report strives to stress the difference between measures adopted in the countries under analysis, with a focus between mandatory and voluntary actions, reflecting on their effectiveness and diffusion. Moreover, the report seeks to compare the effectiveness of mandatory and voluntary measures by examining approaches adopted in EU and non-EU countries, with particular attention to the implementation of mandatory legislative bans versus industry-led voluntary initiatives.

More broadly, the report aims at promoting healthier food choices, improving food environments and encouraging 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, adapting it to evolving marketing strategies and technological advancements.



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.

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 healthier, more transparent food environments that prioritises the well-being of all citizens, particularly the most vulnerable among them.

2. Methodology

This report is grounded in a qualitative analysis based on a review of relevant literature and official policy documents. The sources examined include legislation adopted by national governments within and outside the European Union, as well as voluntary measures and policy recommendations developed by private companies and promoted at both national and supranational levels. In addition, peer-reviewed scientific studies, public health evaluations, and reports issued by international organisations were reviewed to assess the documented impact of voluntary versus mandatory measures on children's exposure to HFSS food marketing.

The review aims to identify and classify existing mandatory and self-regulatory measures addressing HFSS food marketing, with a particular focus on policies designed to protect children. 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. 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.

The measures included are assessed to distinguish between mandatory and voluntary approaches and to evaluate their scope, implementation and potential effectiveness. To investigate the effectiveness of voluntary measures specifically, the analysis considered empirical evidence, including studies assessing children's exposure to HFSS advertising, reported compliance rates, and shifts in marketing practices across media, as well as research discussing potential implications for purchasing patterns and dietary outcomes where such evidence was available. Comparative analysis across national contexts provides insights into global trends in child protection from aggressive food marketing and informs the discussion on the need for stronger, binding regulatory frameworks.

3. Types of measures

3.1. 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.¹⁴ 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.¹⁵ 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, by its very nature, the EU Pledge faces several limitations.

As a voluntary, industry-led initiative, its members are not subject to any kind of legal obligations nor enforcement mechanisms. Although compliance rates are strong – with the latest report of 2022-2023 showing peaks of 99% for TV advertising and 92% of influencer posts¹⁶ – these figures do not reflect



the full market reality, as they only cover signatory companies and exclude all other market players. Moreover, critics argue that due to its non-binding nature and its lack of meaningful accountability, the initiative potentially leads to loopholes and lax enforcement. Ongoing evaluation and external scrutiny are crucial to ensure that the EU Pledge results in tangible improvements to children's health.

In terms of instruments with a binding nature, the Audiovisual media services Directive (AVMSD) represents an EU legislative framework that regulates audiovisual media across Member States. Among different subjects, it also covers rules on the advertising of “food and beverages containing nutrient and substances with a nutritional or physiological effect, in particular fat, trans-fatty acids, salt or sodium and sugars...” directed at children and adolescents. The Directive encourages Member States to adopt self- and co-regulatory measures through codes of conduct, providing a foundation for

¹⁴ EU Pledge. (n.d.). “About the EU Pledge”. Available at: [Link](#)

¹⁵ 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](#)

¹⁶ EU Pledge. (2024). “2023 Monitoring Report”. Available at [Link](#)

developing national laws that are preferably non-binding. Importantly, the AVMSD follows a minimum harmonisation approach, meaning that Member States are allowed to develop a higher degree of protection in their national legal systems.¹⁷

However, as it will be shown in the subsequent sections of this report, not all Member States have gone beyond self-regulatory measures. Consequently, numerous non-governmental organisations (NGOs) have repeatedly criticised the Directive for offering insufficient protection to children, particularly highlighting deficiencies in the monitoring and enforcement of voluntary codes devised by advertisers and media companies.¹⁸ In November 2025, a call for evidence was launched to inform the 2026 evaluation of the AVMSD. The review will assess whether the current rules should be updated to ensure greater prominence for European media, a level playing field between traditional broadcasters and digital platforms in advertising, and stronger protections for viewers, particularly children, when viewing audiovisual content online. This evaluation presents an opportunity to strengthen EU regulation, including introducing stricter limits on advertising and better protecting children from the marketing of unhealthy foods.¹⁹

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 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 Member 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 9 pm television watershed for advertisement of HFSS foods and drinks aimed at reducing the surge of childhood obesity came into force in January 2026.

At the civil society level, 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.²⁰ The endorsing organisations called the EU to regulate cross-border marketing of nutritionally poor foods by reducing the exposure

¹⁷ Directive (EU) 2018/1808 of the European Parliament and of the Council amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities. OJ L 303. (2018). Available at [Link](#)

¹⁸ EPHA. (2010). "EPHA Briefing on the Audiovisual Media Services Directive". Available at [Link](#)

¹⁹ European Commission (2025). "Revision of the Audiovisual Media Services Directive - AVMSD". Available at: [Link](#)

²⁰ EPHA. (2021). "Call to protect children from the marketing of nutritionally poor food." Available at: [Link](#)

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.²¹

Similarly, in 2021 the European Consumer Organisation BEUC produced a report arguing that industry-led rules in the EU are failing to protect children from unhealthy food and drink marketing. BEUC's work focussed on examples of problematic marketing enacted by signatory companies of the EU Pledge using the data available at that time. BEUC called for binding EU legislation including an online ban on marketing HFSS foods and beverages to children, a 6 am – 11 pm TV watershed for such advertisements and a ban on child-appealing techniques, for instance cartoon characters on packaging.²²



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, designed to protect children, including those older than 12 years old, and based on government-led nutrient profile models to determine which foods should be subject to marketing restrictions.²³

3.2. Product Placement and Promotion of HFSS Foods in Retail Settings

Retailers play a significant role in influencing consumer food choices thanks to their marketing techniques and product placement. Given the uneven application of private policies by supermarkets, effective government interventions are needed to contribute to the creation of healthier food environments at the retail level.²⁴ 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.

Product placement is a powerful but often underestimated approach to fostering healthier food choices in supermarkets. 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

²¹ EPHA. (2021). "Blueprint Food Marketing Directive". Available at: [Link](#)

²² BEUC. (2021). "Food Marketing to Children Needs Rules with Teeth". Available at [Link](#)

²³ World Health Organization. (2023). "Policies to protect children from the harmful impact of food marketing: WHO guideline". Available at: [Link](#)

²⁴ Estevez Magnasco, A.I. *et al.* (2025). "Beyond Food Safety: Taxonomisation of Private Initiatives to Design Healthier Supermarkets Environments". Available at: [Link](#)

through various channels, including television and online advertising and, significantly, within supermarkets.²⁵ 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.²⁶ 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 reducing 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 insights into how similar strategies can be adapted and implemented across the European Union to foster a healthier food landscape.

3.3. 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 colour-coded indicators, these labels succinctly convey key 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.²⁷

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 nutrients of concern, which also entails the adoption of marketing restrictions that prohibit the use of persuasive elements on the packaging of products directed to children.

²⁵ Gov.UK. (2021). "Introducing further advertising restrictions on TV and online for products high in fat, salt and sugar: government response". Available at: [Link](#)

²⁶ 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](#)

²⁷ 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](#)

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.³⁵

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.

3.4. Marketing of Ultra-Processed Food Products

In 2009, the Centre for Epidemiological Studies on Health and Nutrition (Nupens) in Brazil published a study on the correlation between industrial food processing and the global rise in obesity. From the findings, a new classification of food based on industrial processing was created.³⁶ This system – called NOVA – defines industrial processing as the biological, physical and chemical methods applied to foods from harvesting through to their final preparation and consumption.³⁷ Based on the extent and purpose of industrial processing, NOVA classifies foods and beverages, including ingredients of culinary preparations, into four groups: unprocessed or minimally processed foods; processed culinary ingredients; processed foods; and ultra-processed foods or UPFs. The latter category is defined by the Lancet journal as “branded, commercial formulations made from cheap ingredients extracted or derived from whole foods and combined with additives. Most contain little to no whole foods and are designed to compete with the other three NOVA groups [...] and maximise industry profits”.³⁸

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.³⁹ UPFs allow to extend the shelf life of a product,



³⁵ Roberto, C.A. *et al.* (2020). “The Influence of Front-of-Package Nutrition Labelling on Consumer Behaviour and Product Reformulation”. Available at: [Link](#)

³⁶ Nupens USP. (n.d.). “Food classification: NOVA”. Available at: [Link](#)

³⁷ Monteiro A. C. *et al.* (2025). Ultra-processed foods and human health: the main thesis and the evidence. Available at: [Link](#)

³⁸ *Ibid.*

³⁹ Istituto di Ricerche Farmacologiche Mario Negri. (2024). “Cibi ultra-processati: quali sono e perché fanno male”. Available at: [Link](#)

reducing food waste and saving consumers' time and energy from preparing the food themselves.⁴⁰ However, high consumption of UPFs has been consistently associated with an elevated risk of NCDs, including diabetes, cardiovascular diseases, obesity, breast cancer, etc., as well as mental health problems, such as anxiety and depression.⁴¹

The mechanisms underlying these associations likely involve a combination of factors that are not only linked to the poor nutritional profile of UPFs, but also to the extent of food processing. In particular, evidence highlights the roles of food texture, namely the physical structure of the product, and energy density, defined as the amount of energy per 100 g of food. Softer textures are typically easier to chew and therefore consumed more rapidly and in bigger quantities, leading to a quicker sense of satiety. At the same time, the high energy density of UPFs means that a greater number of calories are consumed. The combination of these two factors, and the use of additives to increase palatability, appears to be a key driver of overconsumption in UPF-rich diets.⁴² Furthermore, recent findings indicate that non-nutritive components, such as chemical additives, contaminants (e.g., bisphenols), and a destructed food matrix may activate a series of mechanisms, as inflammation and dysregulated microbiota, and thereby further heighten the risk of developing chronic diseases. The research also proves that UPFs intake in post-diagnostic cancer patients is associated with increased mortality.⁴³

The UPF industry is one of the most powerful and rapidly expanding industries worldwide. Since the late 20th century, the food industry has mass-produced and marketed UPFs on a global scale, becoming a key driver of the global nutrition transition. Due to the low production and distribution costs of UPFs and their high profitability, companies allocate a considerable amount of their resources to branding, marketing, and product design to attract consumers. These marketing strategies are highly adaptable, allowing companies to respond quickly to new regulations or consumer trends, for instance by presenting certain food products as environmentally friendly.⁴⁴

In this regard, marketing directed at children is particularly alarming. It promotes excessive consumption of HFSS foods and beverages and can have a lasting impact on their health, leading to overweight, obesity and diet-related NCDs. Effective regulations should be developed to ensure a close monitor of potentially dangerous advertising and marketing practices.⁴⁵ This is, however, increasingly more difficult to achieve due to the high political influence that UPF corporations have at the global level, leading governments to favour self-regulation. Within the EU, for example, the 2025 Cardiovascular Health Plan, the 'Safe Hearts Plan', includes a brief mention of UPFs, where although the European Commission (EC) acknowledged the need to protect children from aggressive marketing, it fell short on proposing concrete and binding measures and instead opted for

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

⁴¹ Lane, M. et al. (2021). "Ultraprocessed food and chronic noncommunicable diseases: A systematic review and meta-analysis of 43 observational studies". Available at: [Link](#)

⁴² Next Food Collective. (n.d.) "RESTRUCTURE: Developing and implementing innovative and evidence-based food design principles to moderate energy intake". Available at [Link](#).

⁴³ Bonaccio, M., et al. (2026). "Ultra-processed Food and Mortality among Long-Term Cancer Survivors from the Moli-Sani Study: Prospective Findings and Analysis of Biological Pathways". *American Association for Cancer Research*. Available at [Link](#).

⁴⁴ Baker, P. et al., "Ultra-Processed Foods and Human Health 3: Towards unified global action on ultra-processed foods: understanding commercial determinants, countering corporate power, and mobilising a public health response". Available at: [Link](#)

⁴⁵ Pan American Health Organization. (n.d.). "Marketing of Ultra-processed and Processed Food and Non-alcoholic Drink Products". Available at: [Link](#)

self-regulation or co-regulation as preferred approaches.⁴⁶

In this report, we emphasise that 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.

4. Analysis of Countries Within the EU

4.1. Spain

Obesity is 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 being overweight.⁴⁷ 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 2019.⁴⁸ 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.⁴⁹

However, the Spanish Ministry of Consumer Affairs considers the current legislation to be ‘insufficient’. As obesity rates among minors continue to increase, 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 it has since been blocked by the Ministry of Agriculture, which prefers a self-regulation model instead. Without its consent, the regulation remains stalled. To date, a long and uncertain road lies ahead for this ambitious draft to become law.

The Legislation

The Spanish legislation in the realm of children food marketing extends back to 2005, with the enactment of the PAOS Code (Código de Autorregulación de la Publicidad de Alimentos Dirigida a Menores, Prevención de la Obesidad y Salud). This measure is a voluntary self-regulatory framework consisting of a collection of ethical 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.⁵⁰ As a non-binding instrument, compliance with the PAOS Code depended largely on industry goodwill rather than legal enforcement. In 2012, the measure was expanded to fulfil the ambitions laid out in the Food Safety & Nutrition Law of 2011.⁵¹

⁴⁶ European Commission. (2025). Communication from the Commission to the European Parliament, the Council, and the European Economic and Social Committee and the Committee of the Regions on an EU cardiovascular health plan: the Safe Hearts Plan”. Available at: [Link](#)

⁴⁷ Global Obesity Observatory. (2020). “Spain”. Available at: [Link](#)

⁴⁸ Agencia Española de Seguridad Alimentaria y Nutrición. (2019). “Surveillance study on nutrition, physical activity, child development and obesity”. Available at: [Link](#)

⁴⁹ 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](#)

⁵⁰ Ministry of Consumption. (n.d.). “Publicidad de alimentos y bebidas dirigida a menores”. Available at: [Link](#)

⁵¹ *Ibid.*

The Food Safety & Nutrition law itself established a binding statutory framework for nutrition in Spain. This legislation focused on safeguarding public health through preventive measures, including 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 sets an important precedent for nutrition and food safety, influencing later regulation and public opinion on food marketing practices.⁵² Despite this, it did include restrictions on marketing in educational spaces and schools, which were declared “advertising-free areas”.⁵³

In 2021, the PAOS Code was declared insufficient by the Ministry of Consumer Affairs, explicitly acknowledging the limits of voluntary self-regulation, 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.⁵⁴ This assessment marked a decisive political will to shift from voluntary commitments to legally binding intervention.

The law that followed, a Royal Decree to regulate food and beverage advertising aimed at children, includes broader restrictions on advertising for nutritionally poor foods. The 2022 draft regulation targets children under 16 years of age and covers advertising content accessible through a wider range of sources, such as (non-)cable television, radio, cinemas, the 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, contests and sponsorships supporting HFSS food ads targeting minors. These provisions would eliminate marketing techniques commonly permitted under self-regulatory schemes. 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. 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 exceeded the thresholds for a given product category. This proposal would represent a great advance in

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](#)

⁵³ *Ibid.*

⁵⁴ La Moncloa. (2021). “Consumo regulará la publicidad de alimentos y bebidas dirigida a menores”. Available at: [Link](#)

protecting the rights of children and adolescents, precisely because it replaces voluntary compliance with legally enforceable standards, and it is positively perceived by the Spanish population.⁵⁵

Despite the far-reaching measures announced in 2022, negotiations were halted due to unfavourable reports from certain ministries that 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, thereby advocating for a continued reliance on voluntary industry-led measures, although the Ministry of Consumption strongly disagrees.⁵⁶

The law has not been approved yet, even though the Minister of Consumption plans to approve it in the Council of Ministers this year.⁵⁷ The current status points to ongoing debate and inclusion in future plans, with a new school lunch Royal Decree already in effect. Spain's central government approved a new school lunch law that took effect across the country in 2025. The *Real Decreto de Comedores Escolares Saludables y Sostenibles* (Royal Decree for Healthy and Sustainable School Lunches) is an ambitious move aimed at tackling inequality, poor nutrition, and the rise in childhood obesity. From September 2025, all schools with a lunch service, public, *concertado* (semi-private), and private, are required to follow strict new nutritional standards.⁵⁸

Points of Caution

The in-install Royal Decree would contribute substantially to the promotion of health and the protection of children and adolescents from the marketing of nutritionally poor foods. However, as long as there is no consensus among the Spanish ministries, the approval of the draft published by the Ministry of Consumer Affairs will be delayed and potentially watered down by the time it becomes law. This delay is particularly critical given evidence that voluntary self-regulatory approaches, such as the PAOS Code, have failed to reduce children's exposure to HFSS food marketing in Spain. Independent evaluations have shown that, despite high formal adherence rates by companies, the nutritional quality of products advertised to children under the PAOS Code remains poor and largely incompatible with WHO nutrient profile models.⁵⁹

Moreover, 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. As a next step, it would have to be passed to the Parliament for further discussion and voting. During this phase, there is a significant risk that the binding provisions of the Royal Decree could be weakened to accommodate industry concerns. 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

⁵⁵ Cavero Esponera, C. *et al.* (2022). "Public Opinion on Food Policies to Combat Obesity in Spain". Available at: [Link](#)

⁵⁶ 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](#)

⁵⁷ 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](#)

⁵⁸ Ministerio de Derechos Sociales, Consumo y Agenda 2030. (2025). "El Gobierno aprueba un real decreto para garantizar que todos los niños y niñas tiengas cinco comidas saludables a la semana en los centros escolares". Available at: [Link](#).

⁵⁹ Royo-Bordonada, M. A., *et al.* (2024). "Differences in children's exposure to television advertising of unhealthy foods and beverages in Spain by socio-economic level". Available at: [Link](#)

may be severely watered down by the time it will be passed into law. This would weaken the intended shift from voluntary self-regulation to effective mandatory protection for children. To preserve the law's current form, the Ministry of Consumer Affairs will need to remain steadfast amid ongoing negotiations, industry lobbying, and political pressure.

Research assessing children's real-world advertising exposure in Spain further indicates that self-regulation has limited impact outside narrowly defined children's programming, particularly in digital media and general-audience television, where most exposure occurs.⁶⁰ This reinforces concerns that continued reliance on voluntary commitments risks perpetuating regulatory gaps rather than delivering effective public health protection.

4.2. France

In France, 17% of children are classified as overweight, and 4% are obese,⁶¹ 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.⁶² 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.⁶³

The Legislation

France regulates HFSS food marketing targeting children primarily through the *Code de la Santé Publique* (Public Health Code), which constitutes the core of the country's binding legal framework. 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. This obligation applies across media and is legally enforceable. Compliance with these rules must adhere to guidelines established by the 'Autorité de Régulation Professionnelle de la Publicité, ARPP (Professional Advertising Regulatory Authority) and non-compliance can result in fines of up to €37,500.⁶⁴



⁶⁰ Delgado, J. R., et al. (2022). "Unhealthy food advertising. A position paper by the AEP Committee on Nutrition and Breastfeeding". Available at: [Link](#)

⁶¹ Haute Autorité de Santé. (2024). "Surpoids et obésité chez l'enfant et l'adulte : quel parcours de soin ?". Available at: [Link](#)

⁶² 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](#)

⁶³ Santé gov. (2023). "Remise du rapport 'Mieux prévenir et prendre en charge l'obésité en France'". Available at: [Link](#)

⁶⁴ LegiFrance. (2020). "Code de la Santé Publique". Available at: [Link](#)

The *Loi Gattolin* (Gattolin Law), enacted in 2016, represents one of the few statutory restrictions specifically targeting children’s exposure to advertising. It 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. As a mandatory measure, this law applies automatically to public broadcasters. 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.⁶⁵

Advertising on private channels is managed through co-regulatory and self-regulatory mechanisms rather than binding legislation, which rely on voluntary agreements such as the *Charte Alimentaire* (Food Charter) overseen by the ARCOM (Audiovisual and Digital Communication Regulatory Authority). The past charter (2020-2024) operates on a non-mandatory basis. Its provisions depend on the voluntary commitment of broadcasters and advertisers, with no direct sanctions for non-compliance. 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.⁶⁶

According to ARCOM’s assessment of the fourth year of implementation, young people’s exposure to commercial communications for products described as “too fatty, too sugary, too salty” has decreased, alongside an increase in the broadcasting of programmes promoting well-being. However, ARCOM also noted that public understanding of nutritional balance remains limited, particularly in online environments where children and adolescents spend increasing amounts of time.

These observations have informed the new 2025–2029 Food Charter, which explicitly takes into account the regulator’s previous assessments. In this context, ARCOM has welcomed the inclusion of online platforms in the renewed voluntary framework, acknowledging their growing relevance for younger audiences. More than 20% of the audience of participating platforms, including Google, Meta, TikTok, and Snapchat, is aged between 12 and 25. ARCOM has also highlighted the unprecedented involvement of the Ministry of Health and the Ministry of Culture, as well as the first participation of new signatories, including the Union of Influence and Content Creators (UMICC) and the National Union of Food and Fast Food (SNARR).

The 2025–2029 charter sets out ambitious priorities, including strengthening nutritional information in visual food marketing across all media, reducing children’s overall exposure to HFSS commercial communications, promoting programmes related to healthy and sustainable food, increasing targeted actions in areas most affected by obesity and overweight, and establishing a dedicated monitoring committee. For its part, ARCOM has committed to strengthening its analysis of children’s cumulative exposure to food marketing across audiovisual and digital content, with the aim of ensuring effective and consistent implementation of the charter.⁶⁷

⁶⁵ Troy, B. (2024). “Surpoids et obésité : facterurs de risques et politiques de prévention”. Available at : [Link](#)

⁶⁶ 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](#)

⁶⁷ Arcom. (2024). “Signature d’une nouvelle charte alimentaire 2025-2029”. Available at: [Link](#)

Alongside these co-regulatory arrangements, France also relies on a separate layer of industry self-regulation through the ARPP, which 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.⁶⁸

Points of Caution

France's current regulations on HFSS food marketing to children fall short of providing robust protection. The current obesity trends suggest that existing statutory measures are insufficient and that voluntary frameworks have failed to compensate for regulatory gaps. Since 1997, the prevalence of obesity in France has doubled, increasing from 8.5% to 17% of the population.⁶⁹ These figures emphasise the urgent need for more stringent and comprehensive strategies to reduce children's exposure to HFSS food marketing.

Empirical evidence suggests that France's reliance on voluntary and co-regulatory mechanisms has not led to a meaningful reduction in children's exposure to HFSS advertising. Evaluations of industry-led commitments, including the *Charte Alimentaire*, indicate that, while formal compliance may be reported, advertising for nutritionally poor foods remains common, particularly outside children's programmes and during general audience viewing times.⁷⁰

Recent data from an ARCOM report highlight 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.⁷¹ Although ARCOM has reported recent reductions in exposure and expanded commitments under the forthcoming 2025–2029 Food Charter, these improvements remain embedded within a non-binding framework and depend on voluntary compliance by advertisers and platforms. 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.

This pattern is consistent with broader European analysis, showing that voluntary advertising pledges tend to shift HFSS marketing away from explicitly child-labelled programming without reducing children's overall exposure, as children predominantly consume general-audience content. As a result, even when incremental progress is observed, the current French framework risks offering symbolic rather than substantive protection for children.⁷²

⁶⁸ Autorité de régulation professionnelle de la publicité. (2023). "Bilan publicité et comportement alimentaires". Available at: [Link](#)

⁶⁹ Laville, M. (2023). "Mieux prévenir et prendre en charge l'obésité en France". Available at: [Link](#)

⁷⁰ Escalon, H., *et al.* (2021). "Exposure of French Children and Adolescents to Advertising for Foods High in Fat, Sugar or Salt". Available at: [Link](#)

⁷¹ ARCOM. (2023). "Evaluation de la charte alimentaire". Available at: [Link](#)

⁷² Landwehr, S. C., Hartmann, M. (2020). "Industry self-regulation of food advertisement to children: Compliance versus effectiveness of the EU Pledge". Available at: [Link](#)

4.3. 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.⁷³ The World Health Organization's Childhood Obesity Surveillance Initiative (COSI) collected data between 2018 and 2020, indicating that 6% of children aged 7 to 9 years in Denmark were classified as obese.⁷⁴ These persistent trends have kept childhood obesity high on the public health agenda.

To address this issue, Denmark uses a mix of legal rules and industry self-regulation to limit the marketing of HFSS foods to children. While the Danish voluntary, industry-led Code of Responsible Food Marketing to Children contributed to a reduction in HFSS in certain media, its overall impact has been limited. Growing concerns over children's exposure to digital marketing and influencer-led promotion have pushed the Danish government to reconsider this approach. In May 2025, the Government announced plans to introduce binding restrictions on the marketing of unhealthy foods and beverages to children as part of its Cancer Plan V, marking a significant shift away from reliance on voluntary measures.

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.⁷⁵ 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.⁷⁶ Complementing this, the Danish Consumer Ombudsman's Guidelines provide detailed recommendations for advertising practices directed at children and young people.⁷⁷ 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.⁷⁸ Shortly afterward, the Food Advertising Forum was established, and the proposed legal reforms were abandoned.

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

⁷³ O Cathaoir, K. (2017). "Food marketing to Children in Sweden and Denmark: A Missed Opportunity for Nordic Leadership". Available at: [Link](#)

⁷⁴ World Health Organization. (2022). "Childhood Obesity Surveillance Initiative - COSI fact sheet highlights 2018-2020". Available at: [Link](#)

⁷⁵ Danish Food and Drink Federation. (2024). "Food advertising for children". Available at: [Link](#)

⁷⁶ *Ibid.*

⁷⁷ *Ibid.*

⁷⁸ O Cathaoir, K. (2017). "Food Marketing to Children in Sweden and Denmark: A Missed Opportunity for Nordic Leadership". Available at: [Link](#)

on platforms primarily targeting children under 13 years old.⁷⁹ 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 symbol signifies that a product contains less fat, sugar, and salt, while offering more dietary fibre compared to similar products.⁸⁰ 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.

In May 2025, the Danish Government announced its intention to amend the Marketing Practices Act to introduce a statutory ban on the marketing of unhealthy foods and beverages to children under the age of 15 as part of Cancer Plan V.⁸¹ This initiative is explicitly framed as a response to rising childhood obesity and diet-related health risks among young people, as well as the demonstrated ineffectiveness of industry self-regulation, particularly in addressing newer forms of digital and influencer marketing. Under the proposed reform, companies and influencers would be prohibited from marketing unhealthy foods and beverages where a substantial proportion of the audience consists of children under 15. Danish authorities are currently developing a list of foods and beverages considered unhealthy for this age group, although the specific nutritional criteria for inclusion have not yet been disclosed.⁸²

Points of Caution

Denmark’s previous reliance on voluntary self-regulation has been widely criticised for its limited scope and weak enforcement. While the Code of Responsible Food Marketing to Children has contributed to a decline in HFSS food advertising in targeted media, its voluntary nature significantly undermined accountability of food companies. Compliance monitoring, conducted by the Food Advertising Forum, is based on peer reviews, and companies that violate the code are neither penalised nor publicly

⁷⁹ *Ibid.*

⁸⁰ Danish Veterinary and Food Administration. (2024). “Nutrition and labelling”. Available at [Link](#).

⁸¹ Gorrissen Federspiel. (2025). “Ban on marketing of unhealthy foods and beverages to children under the age of 15”. Available at: [Link](#)

⁸² Indenrigs- og Sundhedsministeriet. (2025). Et bedre liv med og efter kræft – Kræftplan V. Available at: [Link](#)

named, reducing accountability.⁸³

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.⁸⁴ 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.

Furthermore, comparative policy analyses at the European level indicate that voluntary self-regulatory frameworks, including those applied in Denmark, tend to produce only modest reductions in HFSS advertising in traditional media, while failing to significantly reduce children's overall exposure across media environments.⁸⁵

While the proposed statutory ban under Cancer Plan V represents a significant shift in Denmark's approach, it leaves several important questions unsolved. Key aspects of the ban remain unclear, including how audience composition will be measured on digital platforms, what proportion of children under 15 will trigger the ban, and how compliance will be monitored and enforced. Until these issues are clarified, the practical effectiveness of the new measures remains uncertain.

The move to amend the Marketing Practices Act suggests greater state intervention, yet the success of the reform will depend on the clarity of the nutritional criteria, enforcement mechanisms, and the regulation of digital marketing practices.⁸⁶ Finally, the Keyhole label is voluntary, meaning food producers are responsible for compliance, which may lead to inconsistencies in its application.⁸⁷

4.4. Ireland

According to COSI data for 2022-2024, approximately 17.7% of primary school children in Ireland are living with overweight or obesity.⁸⁸ According to the World Obesity Federation, 8.27% of children aged 5 to 19 in Ireland were classified as obese in 2022.⁸⁹ Ireland has been active in implementing measures to limit children's exposure to the marketing of HFSS foods, 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.

⁸³ O Cathaoir, K. (2017). "Food Marketing to Children in Sweden and Denmark: A Missed Opportunity for Nordic Leadership". Available at: [Link](#)

⁸⁴ *Ibid.*

⁸⁵ BEUC. (2021). "Food Marketing to Children: Needs Rules with Teeth". Available at: [Link](#)

⁸⁶ *Ibid.*

⁸⁷ Danish Veterinary and Food Administration. (2024). "Nutrition and labelling". Available at: [Link](#)

⁸⁸ HSE. (2024). "New research finds 1 in 5 primary school children living with overweight and obesity". Available at: [Link](#)

⁸⁹ World Obesity. (2022). "Raking (% obesity by country)". Available at: [Link](#)

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 Policy and Action Plan 2016–2025, aiming to create a healthier food environment for younger generations.⁹⁰

The Children's Commercial Communications Code, enforced by the Broadcasting Authority of Ireland (BAI), is a binding regulation under the Broadcasting Act 2009.⁹¹ 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 18.⁹² It also bans HFSS ads on TV and radio before 6 pm. Additionally, the code restricts advertising content, prohibiting the use of celebrities, sports stars, promotional offers, or health and nutrition claims in HFSS marketing.⁹³ 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 the total 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.⁹⁴ 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 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.⁹⁵

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.

⁹⁰ Healthy Ireland. (2016). "A healthy weight for Ireland Obesity policy and action plan". Available at: [Link](#)

⁹¹ Broadcasting Authority of Ireland. (n.d.). "Codes & Standards". Available at: [Link](#)

⁹² 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](#)

⁹³ 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](#)

⁹⁴ *Ibid.*

⁹⁵ McCann FitzGerald. (2021). "New ASAI Rules on Advertising of HFSS Products". Available at: [Link](#)

Points of Caution

Studies assessing children’s exposure to HFSS advertising across jurisdictions indicate that countries relying on voluntary digital advertising standards experience significantly higher exposure levels compared to those implementing statutory bans or comprehensive restrictions.⁹⁶ This raises concerns that Ireland’s current approach may lag behind best practices in child health protection, unless voluntary measures are replaced or complemented by binding regulation.

One of the key areas of debate is the 6 pm watershed on HFSS food advertising. Public opinion strongly supports extending this to 9 pm, as children and teenagers often watch content during prime-time hours that still exposes them to unhealthy food advertisements.⁹⁷ The Irish Heart Foundation’s 2017 “Stop Targeting Kids” campaign highlighted these concerns, gaining widespread public support for stricter measures.⁹⁸

Additionally, while the ASAI’s voluntary guidelines for non-broadcast media represent progress, their lack of binding legal enforcement limits their overall effectiveness. Available evidence suggests that Ireland’s partial reliance on voluntary self-regulation in non-broadcast media significantly weakens the overall regulatory framework. Irish experts have found that self-regulatory approaches in digital marketing environments are particularly ineffective, as they lack comprehensive monitoring and fail to capture influencer marketing, advergames, and algorithm-driven advertising to children.⁹⁹

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.

5. Analysis of Countries Outside the EU

5.1. 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 across all media (TV, radio, print, internet, mobile phones, promotional items). Expanding these efforts nationally could provide stronger protection against HFSS foods marketing. With nearly one in three children in Canada living with overweight or obesity, implementing more robust measures at the national level represents a crucial opportunity to address this significant public health challenge.¹⁰⁰

⁹⁶ Boyland, E., *et al.* (2022). “Systematic review of the effect of policies to restrict the marketing of foods and non-alcoholic beverages to which children are exposed”. Available at: [Link](#)

⁹⁷ European student think tank. (2024). “Are current laws on marketing advertisement on HSFF products in Ireland outdated?”. Available at: [Link](#)

⁹⁸ *Ibid.*

⁹⁹ Irish Heart Foundation. (2018). “Policies limiting junk food marketing to kids insufficient”. Available at: [Link](#)

¹⁰⁰ Government of Canada. (2024). “Policy update on restricting food advertising primarily directed at children: Overview”. Available at: [Link](#)

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 2015.¹⁰¹ Yet, a comprehensive regulatory framework has not been finalised, resulting in a regulatory environment that continues to rely largely on voluntary commitments outside limited provincial exceptions.



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.¹⁰²¹⁰³ 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 programme 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.¹⁰⁴ While effective, its scope does not extend to children nor to adolescents outside Quebec.

The rest of the country relies on voluntary industry-led initiatives, resulting in substantial gaps in protection.¹⁰⁵ 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 12.¹⁰⁶ 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.

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,

¹⁰¹ *Ibid.*

¹⁰² Office de la protection du consommateur. (2012). “Advertising Directed at Children under 13 Years of Age”. Available at: [Link](#).

¹⁰³ 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](#)

¹⁰⁴ *Ibid.*

¹⁰⁵ 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](#)

¹⁰⁶ Ad Standards. (2023). “Code for the Responsible Advertising of Food and Beverage Products to Children”. Available at: [Link](#)

sponsorships, and in retail settings.¹⁰⁷ 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 13.¹⁰⁸ As of now, Bill C-252 has passed through several stages in the House of Commons and is currently under consideration in the Senate.¹⁰⁹ If adopted, it would represent the first nationwide mandatory restriction on food marketing to children, shifting Canada away from its current reliance on voluntary self-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.¹¹⁰ The label includes a magnifying glass, a statement reading 'high in' and the words 'Health Canada' at the bottom of the symbol. The symbol is displayed in English and French, and is placed in the upper half of the label for most package shapes, or in the right half if the package is wider than it is tall. The deadline for the food industry to implement such change was set on 1 January 2026, but Front-of-Pack Warning Labels could be found on packaged food products even earlier.¹¹¹

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.¹¹²

Empirical evidence from Canada indicates that voluntary, self-regulatory approaches have had a limited impact on reducing children's exposure to HFSS food marketing. A series of studies comparing Quebec to other provinces shows that children outside Quebec are exposed to significantly higher levels of unhealthy food advertising, underscoring the protective effect of Quebec's mandatory ban and the relative ineffectiveness of voluntary frameworks elsewhere.¹¹³

Additional loopholes include a lack of restrictions on digital marketing, points of sale, brand advertising, and sponsorship of sporting teams and events. 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 protection across provinces, with Quebec being the only region with mandatory regulations, leaves children in other provinces

¹⁰⁷ Legisinfo. (2024). "An Act to amend the Food and Drugs Act (prohibition of food and beverage marketing directed at children)". Available at: [Link](#)

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

¹¹⁰ Government of Canada. (2022). "Front-of-package nutrition labelling". Available at: [Link](#)

¹¹¹ *Ibid.*

¹¹² 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](#)

¹¹³ Vergeer, L. *et al.* (2025). "Examining differences in exposure to digital marketing of unhealthy foods reported by Canadian children and adolescents in two policy environments". Available at: [Link](#)

exposed to unregulated marketing. Research assessing food marketing exposure across Canadian media environments further demonstrates that industry pledges do not meaningfully limit children’s exposure on television and digital platforms, where HFSS products continue to dominate advertising content.¹¹⁴

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.¹¹⁵

Taken together, the Canadian case illustrates a clear divide between the documented effectiveness of mandatory statutory bans, as observed in Quebec, and the limited impact of voluntary self-regulatory initiatives applied elsewhere in the country.

5.2. 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.¹¹⁶

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 2016.¹¹⁷ 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.¹¹⁸ It also laid out the age threshold for

¹¹⁴ Potvin Kent, M. et al. (2022). “Benchmarking unhealthy food marketing to children and adolescents in Canada: a scoping review”. Available at: [Link](#)

¹¹⁵ 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](#)

¹¹⁶ 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](#)

¹¹⁷ Servicio de Salud Metropolitano Sur. (n.d.). “Ley de Etiquetado de Alimentos 20.060”. Available at: [Link](#)

¹¹⁸ Biblioteca del Congreso Nacional de Chile. (2012). “Ley 20606 | Sobre Composición Nutricional de los Alimentos y su Publicidad”. Available at: [Link](#)

marketing to 14 years of age or in programmes watched by at least 20% of children,¹¹⁹ 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,¹²⁰ which spurred companies into action to avoid getting the seal.¹²¹ HFSS food and drink products were also banned from sale or promotion in schools and nurseries, including sales points within a 100-meter radius.¹²² 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 6 am and 10 pm.¹²³



Figure 2: Chilean Front-of-Package Warning Labels—black octagons (Araya, S. et al., 2018)¹²⁴

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.¹²⁵

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).¹²⁶

¹¹⁹ Smith Tallie, L. et al. (2019). “Governmental policies to reduce unhealthy food marketing to children”. Available at: [Link](#)

¹²⁰ *Ibid.*

¹²¹ Barahona, N. et al. (2021). “Ley de Etiquetado: Evaluando sus Efectos en Consumidores y Empresas de Alimentos”. Available at: [Link](#)

¹²² Ministerio de Salud; Subsecretaría de Salud Pública. (2012). “Ley 20606 | Sobre Composición Nutricional de los Alimentos y su Publicidad”. Available at: [Link](#)

¹²³ Global Food Research Programme. (2023). “GFRP-UNC Marketing map 2023-03”. Available at: [Link](#)

¹²⁴ Available at: [Link](#)

¹²⁵ Ministry of Health of Chile. (2019). “Evaluación Ley De Alimentos N°20.606”. Available at: [Link](#)

¹²⁶ 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](#)

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%.¹²⁷ 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.¹²⁸ This reduction did not differ by socioeconomic position¹²⁹ and was particularly evident when the policy prohibited all marketing content directed at children between 6 am and 10 pm, resulting in significantly greater reductions compared to the impact of restrictions aimed solely on child-focused ad content and placement.¹³⁰

Lastly, the law has had no observable impact on the outcomes of the industry labour market, including aggregate employment and average real wages.¹³¹ 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.

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.¹³² This presents Chile with a unique opportunity to lead global efforts in this area, possibly influencing international policy and setting a global standard.

On October 10, 2024, Decree No. 24 was published in the Official Gazette, entitled “Determines the Characteristics of the Message that Promotes Healthy Living Habits Contained in the Advertising of Those Foods It Indicates” (“Decree 24”). In general terms, Decree 24 replaces Decree No. 1/2017 and updates the requirements for the mandatory message, a black stripe, that must appear in mass media advertisements of products containing added sodium, sugars, or saturated fats exceeding the thresholds established in Article 120 bis of the Food Health Regulations. These amendments aim to enhance the visibility and public understanding of health warnings.

The principal changes introduced by Decree 24 include: (1) a new mandatory message text reading “Food with a ‘high in’ seal, avoid consumption.”; (2) the continued inclusion of the Government logo and the phrase “Ministry of Health”; and (3) the addition of a “Stop at” warning seal in specific media, such as print, public roads, and digital platforms, including YouTube, which must comply with prescribed dimensions and graphic characteristics.

¹²⁷ Gillings School of Global Public Health. (2021). “Chile’s Law of Food Labeling and Advertising encourages notably healthier choices” Available at: [Link](#)

¹²⁸ 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](#)

¹²⁹ 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](#)

¹³⁰ *Ibid.*

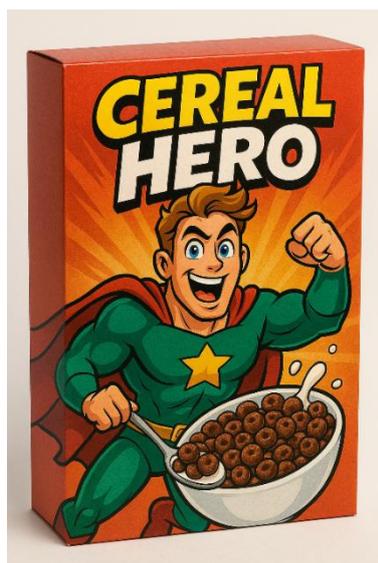
¹³¹ Parajea, G. *et al.* (2021). “The effects of the Chilean food policy package on aggregate employment and real wages”. Available at: [Link](#)

¹³² Food and Agriculture Organization. (2019). “The impact of Chile’s food labelling law”. Available at: [Link](#)

Failure to comply with these updated advertising requirements may result in the initiation of a health investigation and fines ranging from 0.1 to 1,000 Monthly Tax Units, pursuant to the Health Code. Decree 24 entered into force six months after its publication, i.e. on April 11 2025, although print advertising published before that date will not be subject to the new rules.

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.¹³³ 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.¹³⁴

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.¹³⁵ The study also claims that warning labels are a good tool 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,¹³⁶ or using taste enhancers to ensure that the reformulated product is indistinguishable from the previous version.¹³⁷ Additional loopholes include a lack of restrictions on digital marketing, points of sale, brand advertising, and sponsorship of sporting teams and events. However, recent discussions by the Ministry of Health indicate forthcoming regulatory attention to digital advertising and influencer marketing practices, particularly concerning the use of s or brand endorsements appealing to minors. Lastly, restrictions on price promotions on HFSS foods and beverages should also be considered.¹³⁸

Beyond these structural and implementation-related limitations, emerging evidence suggests that even comprehensive marketing and labelling restrictions may have a more limited impact on children's actual dietary habits over time, particularly in contexts where broader behavioural, social and environmental determinants of food consumption remain unchanged.

¹³³ Barahona, N. et al. (2021). "Ley de Etiquetado: Evaluando sus Efectos en Consumidores y Empresas de Alimentos". Available at: [Link](#)

¹³⁴ UNC Gillings School of Global Public Health. (2021). "Study finds no negative economic impact from Chilean food labelling and advertising law". Available at: [Link](#)

¹³⁵ Mialon, M. et al. (2020). "Food Industry Political Practices in Chile: "The Economy Has Always Been the Main Concern". Available at: [Link](#)

¹³⁶ Alé-Chilet, J. & Moshary, S. (2020). "Beyond Consumer Switching: Supply Responses to Food Packaging and Advertising Regulations". Available at: [Link](#)

¹³⁷ Barahona, N. et al. (2023). "Equilibrium Effects of Food Labeling Policies". Available at: [Link](#)

¹³⁸ UNICEF. (2021). "Policy brief: Marketing of unhealthy foods and non-alcoholic beverages to children". Available at: [Link](#)

Despite the documented reductions in HFSS food purchases and children’s exposure to unhealthy food advertising, emerging evidence suggests that the Chilean Food Labelling and Advertising Law has had limited effects on children’s overall dietary behaviours. A study examining regional and household-level consumption patterns found that, while awareness of warning labels increased, the law had only a modest influence on children’s everyday eating habits in certain contexts, particularly in regions characterised by structural and behavioural barriers such as limited access to healthy foods and entrenched dietary practices.¹³⁹ This indicates that marketing restrictions alone may be insufficient to substantially shift consumption patterns when broader food environments remain unchanged.

Longitudinal analyses further reinforce this concern. Evidence suggests that although the regulation contributed to a reduction in the intake of added sugars, it did not consistently translate into meaningful improvements in overall diet quality among children over time.¹⁴⁰ These findings highlight the importance of complementing marketing and labelling policies with wider structural interventions, such as improving access to affordable healthy foods, regulating price promotions, and addressing food availability in local environments, to achieve sustained dietary change.

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.¹⁴¹ In the future, it will be crucial to consider the evolving landscape of food marketing, going beyond traditional media and 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.¹⁴²

5.3. United Kingdom

According to a 2022 National Health Service (NHS) statistical study, in England one in seven children aged 2-15 is obese. The figures also reveal that childhood obesity is more frequent for children living in the most disadvantaged areas of the country.¹⁴³

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

¹³⁹ Pfister, F., Pozas, C. (2023). “The influence of Chile’s food labeling and advertising law and other factors on dietary and physical activity behavior of elementary students in a peripheral region: a qualitative study”. Available at: [Link](#)

¹⁴⁰ Venegas Hargous, C. *et al.* (2025). “Changes in Children’s Adherence to Sustainable Healthy Diets During the Implementation of Chile’s Food Labelling and Advertising Law: A Longitudinal Study (2016–2019)”. Available at: [Link](#)

¹⁴¹ UNICEF. (2023). “Childhood overweight on the rise: Is it too late to turn the tide in Latin America and the Caribbean?”. Available at: [Link](#)

¹⁴² 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](#)

¹⁴³NHS England. (2024). “One in eight toddlers and primary school aged children obese”. Available at: [Link](#)

phenomenon.¹⁴⁴ 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.¹⁴⁵

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 UK government is committed to curb the increasing phenomenon of childhood obesity during its mandate.

The Legislation

The UK has introduced several pieces of legislation to tackle the issue of childhood obesity by specifically targeting the marketing of HFSS foods and soft drinks. Most regulatory efforts have focused on advertising restrictions.



The Code of Non-Broadcast Advertising, Sales Promotion and Direct Marketing (“CAP Code”) and the Code of Broadcast Advertising (“BCAP Code”) include provisions limiting 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 have protected children from HFSS food and soft 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.¹⁴⁶ Similarly, the BCAP has in effect introduced a total ban on HFSS product advertisements during or near TV programs appealing to children under 16.¹⁴⁷ In 2018, CAP and BCAP jointly stated 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.¹⁴⁸

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 2030.¹⁴⁹ Part of this plan was to tighten HFSS product advertising rules aimed at children. During 2019 consultations, the Government

¹⁴⁴ Conway, L. (2024). “Advertising HFSS food and drink to children”. Available at: [Link](#)

¹⁴⁵ 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](#)

¹⁴⁶ CAP. (2014). “The UK Code of Non-broadcast Advertising and Direct & Promotional Marketing, Rule 15.18”. Available at: [Link](#)

¹⁴⁷ Department of Health. (2004). “Code of Broadcast Advertising, following Choosing Health White Paper”. Available at: [Link](#)

¹⁴⁸ CAP. (2018). “Food advertising: evidence-based rules for children’s multimedia lives”. Available at: [Link](#)

¹⁴⁹ Department of Health and Social Care. (2016). “Childhood obesity: a plan for action”. Available at: [Link](#)

sought opinions on a 9 pm watershed for HFSS food and drink advertisements on TV and online.¹⁵⁰ 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 9 pm watershed for HFSS food and drink advertisements on TV and a ban on paid-for online HFSS product advertising.¹⁵¹ These rules, initially set for January 2023, were postponed to October 2025 to give companies more time to prepare.¹⁵² In September 2024, the newly elected Government confirmed the 2025 implementation without further delays.¹⁵³

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).¹⁵⁴ A similar regulation targeting volume price promotions came into force in 2026, aiming to shift promotions towards healthier foods and making it more accessible. These restrictions apply to medium and large retailers with more than 50 employees.¹⁵⁵

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 16.¹⁵⁶ In May 2024, the Labour Party announced plans to introduce further restrictions on high-caffeine and sugar energy drink sales in England and Wales.¹⁵⁷ These plans were later confirmed in September 2024.¹⁵⁸

Points of Caution

In recent years, there has been a noticeable increase 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. Importantly, partial or delayed regulatory approaches often create

¹⁵⁰ 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](#)

¹⁵¹ 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](#)

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

¹⁵³ 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](#)

¹⁵⁴ Legislation.gov.uk. (2021). "The Food (Promotion and Placement) (England) Regulation (2021) SI 2021 No.1368". Available at: [Link](#)

¹⁵⁵ 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](#)

¹⁵⁶ Conway, L. (2024). "Advertising HFSS food and drink to children". Available at [Link](#)

¹⁵⁷ Gov.uk. (2024). "The King's Speech 2024". Available at: [Link](#)

¹⁵⁸ 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](#)

opportunities for industry adaptation, with food companies shifting marketing strategies to less regulated channels rather than reducing overall advertising pressure.¹⁵⁹

After a long consultation process for the adoption of the 9 pm watershed for HFSS food and drink advertisement on TV and the ban on paid-for online HFSS product advertising, the law finally came into force in January 2026. While this represents a significant step forward in tackling childhood obesity and a clear move away from reliance on voluntary industry-led approaches, the framework includes a number of important exemptions. Notably, brand-only advertising for food and beverage companies is permitted, provided that no specific HFSS product is shown. This huge step back was taken in response to the food and beverage industry's threat of legal action against the originally envisaged total ban, demonstrating the sector's power and influence over policymaking in this area.¹⁶⁰

6. Summary of Main Observations & Recommendations to the EU

Amid the growing burden of childhood obesity and other preventable NCDs, limiting children's exposure to the marketing of foods high in fat, sugar, and salt has emerged as a critical public health priority. 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 shows that approaches to regulating HFSS food marketing to children differ widely between countries, especially in terms of age limits, restricted advertising hours, targeted media, and enforcement. Overall, voluntary measures are still the most common approach, particularly in Europe, but they are usually limited and weakly enforced. While Chile and the UK have introduced strong and clear legal restrictions on HFSS food marketing to children, many other countries continue to rely on a small number of rules or voluntary self-regulation, as seen in Denmark, France, Spain, and Ireland. In these countries, industry-led codes mainly regulate non-broadcast and digital marketing, such as Denmark's Code of Responsible Food Marketing, France's Charte Alimentaire and ARPP guidelines, Spain's PAOS Code, and Ireland's ASAI codes. These codes are voluntary and depend on industry compliance rather than legal enforcement, existing alongside limited mandatory rules focused mainly on traditional media or specific settings like broadcasting and school zones.

Research shows that voluntary self-regulation is often not effective in reducing children's exposure to HFSS advertising, especially online, while mandatory measures tend to be more successful. Some countries, including Spain, the UK, and Canada, are moving towards binding regulations, showing

¹⁵⁹ The Food Foundation. (2025). "Regulation failing as report shows food industry finds new ways to advertise unhealthy food to young people". Available at: [Link](#)

¹⁶⁰ The Guardian. (2026). "Ban on TV junk food advertising before 9pm comes into force in UK". Available at: [Link](#)

increasing support for stricter protection of children, although industry pressure and slow legislative processes can delay their implementation.¹⁶¹

In contrast, mandatory rules are fewer among the EU countries analysed in the report, but tend to be more robust and effective. The examples of Chilean and UK legislation illustrate that regulatory models are feasible and provide practical examples for future EU-level action. Chile has implemented extensive restrictions on unhealthy food advertising across different media with effective enforcement, serving as an example of a comprehensive mandatory system. The United Kingdom has established specific legislation, including restrictions on advertising HFSS products, plans to ban online advertisement and introduce a 9 pm watershed starting January 2026. Similarly, Canada's upcoming Bill C-252 proposes a nationwide ban on marketing targeted at children under 13, indicating a shift away from relying solely on voluntary measures. In Ireland and Denmark, binding regulations apply to broadcasting and schools, but digital marketing and social media are mainly regulated through voluntary codes that lack penalties.

Overall, even though voluntary measures remain common and widespread, there exists a developing countertrend in favour of mandatory measures, especially as self-regulation is under increasing scrutiny and digital marketing continues to evolve. Both the EU and various Member States heavily relied on voluntary self-regulation advocated for by food and beverage companies.



However, it is becoming increasingly apparent that these measures are designed to be ineffective. While food and advertising companies promote marketing or labelling guidelines to signal commitment, in practice these initiatives are limited in scope and lack meaningful accountability. As such, voluntary guidelines are employed to delay and often substitute for legally binding alternatives. This is mostly true for digital marketing. Given the fast pace

at which digital platforms develop, regulating online advertising is increasingly complex and therefore voluntary measures are often seen as an easier and quicker option compared to legislative ones.¹⁶² Considering marketing of HFSS specifically, systematic reviews and reports have shown that self-regulatory schemes are insufficient to reduce children's exposure to HFSS advertising, particularly in digital and influencer-led environments that fall outside traditional television regulation. As childhood

¹⁶¹ Chambers, S.A., *et al.* "Reducing the volume, exposure and negative impacts of advertising for foods high in fat, sugar and salt to children: A systematic review of the evidence from statutory and self-regulatory actions and educational measures". Available at: [Link](#)

¹⁶² Baker, P. *et al.* (2025). "Ultra-Processed Foods and Human Health 3: Towards unified global action on ultra-processed foods: understanding commercial determinants, countering corporate power, and mobilising a public health response". Available at: [Link](#)

obesity and health-related inequalities continue to rise, these shortcomings have increased public health concerns and intensified calls for government intervention.¹⁶³

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, and making large companies accountable for the health and sustainability of the food they sell to consumers.

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

- The European Union should adopt **binding legislation** to regulate the exposure of children (up to 18 years old) to marketing of HFSS and ultra-processed foods on broadcast media (including television and radio) from 6 am to 11 pm.
- **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.
- 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.
- Drawing from the example of the Tobacco Products Directive, the EU should adopt a harmonised framework to prohibit the use of child-targeted marketing techniques on **food packaging**. 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.
- **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

- Mandate EU-wide enforcement of harmonised **Front-of-Pack Warning Labels** for foods high in sugar, salt or fat and that are ultra-processed. Such labels should be transparent, intuitive and substantiated with verifiable data. They should help consumers to easily recognise healthier food choices and ultimately aim to minimise consumption of UPFs.

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,

¹⁶³ Meléndez-Illanes, L. *et al.* (2022). "Advertising of foods and beverages in social media aimed at children: high exposure and low control". Available at: [Link](#)

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.

5. 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 move from fragmented voluntary initiatives toward a robust regulatory framework that protects children from harmful food marketing and supports healthier food environments across Europe.

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's 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 and binding 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.

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