

Baroness Thornton Bill

Speech by the Baroness Peta Buscombe

My Lords,

I must first declare an interest as Chief Executive of the Advertising Association.

If a ban on the advertising of Foods high in fat, sugar and salt solved the problem of obesity in Britain – how simple life would be.

Unfortunately life isn't that simple and I am afraid that this Bill is a classic case of a quick fix solution to a complex problem.

Advertising is an easy target, but advertising bans have unintended consequences and won't tackle the root causes of the problem of obesity.

Need to tackle all the causes of obesity

Obesity is a hugely important and multi-faceted social issue that must be taken seriously. The increase in obesity can be attributed to a complex range of inter-relating causal factors including changes in life-style and diet and social, environmental and cultural factors. Both OFCOM and the Food Standards Agency have acknowledged this.

Recommendations on advertising only comprised three of the 91 recommendations in the Government's 2004 *Choosing Health* White Paper. One might well ask what happened to the other 88? Especially, when the huge amount of activity and change that has taken place in the reformulation of food and marketing to children is taken into account.

Not only would a watershed be damaging and disproportionate, it is not evidence-based and certainly not rational to introduce yet more changes when the current ones are only just being phased in at the present time!

The pressure groups behind this Bill advocate a 9 pm watershed on the grounds that it will significantly reduce exposure of food advertising to children up to 15 years of age. This view has evolved from Ofcom's 2004 research that showed that 70% of children's viewing is outside children's airtime. In fact, this is an over-simplification of the figures and children's exposure to adult viewing is considerably less. Ofcom's 2006 impact analysis shows that 20% of children's viewing in adult airtime is broadcast by the BBC and therefore only 51.1% of children's viewing is in commercial adult airtime. For 4-9 year olds, the figure is 42.1% - less than half of their total viewing, and almost half what was publicly assumed from Ofcom's 2004 research.

Ofcom – was asked in 2004 to research the impact of television advertising of food and drink to children; and to consider proposals on tightening the rules on television advertising. Ofcom's comprehensive and evidence-based report in July 2004 concluded that food advertising has "*modest direct effect*" – around 2% - on children's food choices. It also said that indirect effects are likely to be larger but that there was insufficient evidence to quantify the indirect effect of TV advertising on children's food preferences, consumption and behaviour; by comparison with other relevant factors such as exercise, trends in family eating habits, school policy and food labeling.

Ofcom therefore decided that there was a case for strengthening advertising rules, but that a total ban on television advertising pre-watershed of food and drinks to children would be neither proportionate nor, in isolation, effective. Indeed Ofcom recognised that this '*nuclear option*' would not be sufficiently targeted and would be disproportionate. Its Chief Executive, Ed Richards, confirmed that it would reduce broadcaster revenues by a sum greater than the entire commercial TV industry's combined expenditure on all children's programming and national news coverage, cutting "*a swathe through quality British made programmes on our TV screens.*"

It is often forgotten that TV food advertising expenditure has been declining since the beginning of this decade, yet obesity in younger children continues to rise.

The evidence is just not there to support the restrictions that this Bill would impose.

Uncomfortable truths

It is time for government and politicians to face up to uncomfortable truths. In the United States the attention on obesity is rightly focused, by inspirational organizations like the Johnson and Johnson Foundation, on the balance between energy in (food intake) and energy out (exercise) of children.

Politicians in this country have to face up to the fact that ideological posturing by both left and right has harmed children. Doctrinaire positions on the selling of playing fields and the banning of team sports within schools have failed a generation of children. Only this week we have heard from the Childrens Society that parents are afraid to let their children go out and play by themselves and explore and grow as individuals. On Wednesday morning we heard two health Professors, Wardle and Fox on Radio 4's Today Programme, explain the increase in obesity due to a *“chronic imbalance of eating and exercise, more healthy food at lower prices and the microwave all contributing to an overweight nation.”*

Advertising is an easy target when politicians do not want to blame either themselves or the lack of responsibility exercised by their constituents. Yet if we really want to tackle the root causes of obesity this is where we should be looking.

Bizarre posturing

Frankly the bizarre posturing of consumerist groups and charities on this issue is as damaging as it is perplexing. Attempting to generate a bandwagon of C list celebrities looking for attention and contenders for the Deputy Leadership of the Labour Party, as has been

attempted in support of this Bill, is not serious politics. It leaves a bad taste in the mouth and raises the serious question of why these self styled consumerist groups and charities, behind the Bill, are not campaigning on more serious problems and root causes of obesity.

It is worth noting that the Bill is being promoted by the pressure group Sustain who I see are funded by farming groups and others including the Baby Milk Action, the National Farmers' Union and other related organizations. I wonder how those unbelievably hard pressed dairy and pig farmers would feel if they realized that their produce – cream, butter, cheese and sausages - is all already classed as junk food according to the FSA nutrient profiling. Indeed mother's milk – if it could be advertised – would be banned as well. So farmers are effectively funding an organization Sustain which is happy to destroy them.

At a time when we habitually read of killings of children by other children, of drug, substance and physical abuse why is there such a disproportionate and hysterical agenda against advertising being conducted by groups who claim to campaign for the common good?

Perhaps the most disheartening aspect of all this was to watch the British Medical Association also leap upon this bandwagon. They are in such a powerful position to make a real difference. They should be asking themselves what thousands of GP's are doing to help obese patients. Instead their only excuse for posturing on this issue is to cite the dubious research compiled by the increasingly sensationalist and commercial Which? Magazine.

Conclusion

My Lords we have to stop being afraid to say what has to be said.

The quick fix of restricting food advertising has already brought consequences way beyond what was intended and has possibly brought more harmful effects than beneficial ones. Around £40 million of ad revenue per annum has been taken out of the TV market, in addition to the losses commercial broadcasters have already incurred as advertisers have over the last couple of years voluntarily withdrawn from advertising during children's programme times. This

is yet another disincentive for broadcasters to invest in quality, UK-originated children's programming, let alone increase spend. So called "*junk food*" advertising may well be replaced with much worse "*junk TV*" for children.

A 9pm pre-watershed ban is not the answer to reducing childhood obesity. When considering the option of excluding all high in fat, salt and sugar (HFSS) advertising before the 9pm watershed Ofcom concluded that this would "undermine" their regulatory objectives. Rather than targeting children it would prevent adults from viewing advertisements for HFSS products aimed at them, and could make television an unattractive medium for food and drink advertisers.

According to Ofcom's qualitative research parents have indicated that they do not favour a ban on HFSS advertising extending to 9pm. Also, Ofcom considers the impact on broadcasters would be disproportionate. Ofcom also says that, given the limited impact that advertising has on children's food preferences, excluding HFSS food advertising before the 9pm watershed would have a minimal effect on obesity levels in contrast to the impact it will have on broadcasters revenues and as such on the quality of programming.

It is clearly not rational to introduce yet more changes when the current ones are only just being phased in now!!

What is often forgotten in this depressing debate is the positive power of advertising. At a time when the Department of Health is rightly looking to a public information campaign to educate and inform the public on the dangers of alcohol abuse why are similar well thought out and logical solutions not being proposed in the obesity debate?

It is time to end the increasingly hysterical calls for bans, restrictions and bandwagons and time instead to look for common sense, clarity and real solutions.