

Sir Chris Bryant MP
Minister of State
Department for Culture, Media, and Sport
100 Parliament Street
London
SW1A 2BQ

May 2025

Dear Minister,

This letter is a voluntary and unilateral commitment from the organisations signing it, representing advertisers, broadcasters, and online.¹ To enable the Government to ensure the forthcoming law on Less Healthy Food advertising does what it was intended to do, we will act as though it will come into force from 1 October 2025 in the way it was intended.

This means that from 1 October 2025 we will not run advertisements for specific identifiable less healthy food or drink products (i.e. adverts that explicitly feature or refer to specific less healthy food or drink products), on TV or on demand services between 5.30 am and 9 pm, or paid for advertisements for specific identifiable less healthy food and drink products online at any time.

The law, passed by parliament in 2022, was intended to support the fight against childhood obesity. It has always been the intention of Parliament and the Government then, and the Government now, that the law should only ban adverts for identifiable less healthy food or drink products where it is clear that what is being advertised and specific food or drink products can be checked against the Nutrient Profiling Model. It was not meant to catch adverts for brands or wider ranges that do not identify less healthy products.

Since January there has been disagreement about whether the existing wording of the law does what it was meant to do. Many brands have prepared advertising campaigns, including for Christmas 2025, on the basis set out above. However, the Advertising Standards Authority (ASA), which will enforce the law, has been unable to confirm whether they would be caught by the law or not.

¹ While online platforms are supportive of this letter's contents and aims, they are not signatories to this letter, because the regulations referred to apply directly to broadcasters and to advertisers. They do not apply directly to online platforms or publishers.

The Government has said it would be willing to delay the law coming into force for three months, until 5 January 2026, in order to make sure the law on adverts for brands is clear and fulfils Parliament and Government's original intention. This is strictly conditional on a clear commitment from us, advertisers, broadcasters, and online platforms, that from 1 October 2025 we will comply with the law as it was understood to apply, as though it had come into force on that date.

We welcome the Government's action, which will provide the stability which is vital to enable investment in advertising and the important services which it supports. This advertising spend – which the Government always intended to be able to continue under the incoming restrictions – is vital for maintaining investment for our public service and commercial broadcasters, UK journalism, publishing, online services like social, search and maps, and charity partnerships.

The draft guidance on which the ASA began a consultation in December 2023, but which was not finalised, was drawn up according to the original policy intention and provides draft detail on how it should be applied. Pending final guidance, we will have regard to this guidance in implementing the restrictions from 1 October given that this is the basis on which many campaigns have already been prepared.

Yours sincerely,

Advertising Association

The Association for Commercial Broadcasters and On-Demand Services (COBA)

Association of Online Publishers (AOP)

British Retail Consortium (BRC)

Channel 4

Disney

Food and Drink Federation (FDF)

Guardian Media Group

Incorporated Society of British Advertisers (ISBA)

Institute of Practitioners in Advertising (IPA)

Internet Advertising Bureau (IAB UK)

ITV

News Media Association (NMA)

Paramount

Reach Plc

Sky

STV

The Sun

techUK

The Times and The Sunday Times